



HIGHLIGHTS

of the
Forty-Third Legislature
First Session

1997

New Mexico Legislative Council Service
311 State Capitol
Santa Fe, New Mexico

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FORTY-THIRD LEGISLATURE

FIRST SESSION, 1997

Acts carrying an emergency clause become effective immediately upon signature by the governor; all other acts become effective 90 days after adjournment of the legislature, on the first moment of June 20, 1997, except those specifying a different effective date.

New Mexico Legislative Council Service
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INTRODUCTION

"An association of men who will not quarrel with one another is a thing which never yet existed, from the greatest confederacy of nations down to a town meeting or a vestry."

Thomas Jefferson, 1798

The first session of the forty-third legislature of New Mexico validated Jefferson's words like no other.

Debate, deliberation and disagreement dominated the 60-day session. Proposals to legalize gambling, build prisons and reform welfare and medicaid were the topics of most of that debate, deliberation and disagreement. The \$3 billion general fund budget, confirmation of a secretary of corrections and highway construction also drew their share.

Drama, tension and surprise were around every corner.

The house of representatives deadlocked on historic gambling legislation after exhaustive committee work, public testimony and floor debate. A day later, a motion to reconsider the tie vote prevailed and the bill was approved by the narrowest of margins. Approval came easier in the senate and from the governor. The story didn't end there, however. At the time this publication was prepared, a group of gambling opponents began gathering signatures from voters to put the question of repealing the law on the ballot.

The senate rejected the governor's choice for corrections secretary, making it the second time in three sessions that a cabinet secretary's nomination was rejected. The decision was part of the larger debate over prison construction, a debate that brought the senate and the session to a contentious close with a filibuster on a conference committee's recommendations for building new prisons.

Also dead on adjournment was the capital outlay legislation and a proposal to bail out the financially troubled state fair and fund its budget for fiscal year 1998.

In a move that surprised many, the General Appropriation Act of 1997 was approved in the senate with only executive-requested amendments; the conference committee met briefly and made only minor adjustments. The Education Appropriation Act originated in the senate, yet another break with tradition.

The governor rejected his share of legislative proposals, vetoing 102 of the 370 bills passed to him. Notable among his vetoes was the rejection of the bulk of the legislation relating to medicaid managed care and welfare reform, confirming the breadth and depth of disagreement between the legislature and the executive on how to proceed on those issues.

Those who study and understand government value the debate, deliberation and disagreement — and even the quarrels — that are an integral part of the process, especially the legislative process.

What follows is a summary of much, but not all, of the legislation approved during the 1997 session. The measures selected for inclusion are those the staff of the legislative council service felt were of special significance. Bills selected were those considered to be concerned with major policy decisions or of general importance to the people of New Mexico. Omission of certain bills should not be taken to mean any inference on the part of the staff that those bills were not important. Each bill enacted is important to someone or it would not have been introduced and passed by the legislature; each bill passed can have immediate effect upon specific segments of our economy or population with residual effect upon the remainder. However, any attempt to discuss all bills and catalogue them in order of importance would be entirely subjective and of doubtful value.

As subjective as the selection of bills are the categories in which they are placed. Many bills defy single-topic categorization, and the staff has tried to adequately organize and cross-reference them.

AGRICULTURE

Agriculture was a surprisingly active category this year. Two bills from last year were again on the agenda. The Producer's Lien Act, enacted in 1995 and substantially amended in 1996, was repealed by **House Bill 802 (Chapter 83)**. The Cotton Boll Weevil Control Act, enacted in 1996, was the subject of **Senate Bill 891 (Chapter 57)**, which amends that act to expand current mandated integrated pest management practices to ensure that a certified organic cotton producer will be able to maintain his certification.

House Bill 40 (Chapter 21) repeals the Interstate Grain Compact. **House Bill 340 (Chapter 49)** adds a definition for pure honey to the Food Service Sanitation Act.

The New Mexico Sheep and Goat Act was enacted by **House Bill 497 (Chapter 147)** and **Senate Bill 271 (Chapter 99)**. The purpose of the act is to provide for the promotion and expansion of the state's sheep and haired goat products through marketing, scientific research and other means. The act creates a seven-member sheep and goat council, which is empowered to collect a council assessment of no more than \$.75 per animal when a transfer of ownership occurs, payable at the time of the required state inspection. Application for a refund of the assessment may be made within 30 days after the inspection.

Agricultural land was the subject of **House Bill 1112 (Chapter 162)**, which is discussed in the section on **Taxation**. Another bill, **House Bill 774 (Chapter 137)**, which moves the soil and water conservation districts from the energy, minerals and natural resources department to the department of agriculture, is discussed in the **State Agencies** section.

ALCOHOLIC BEVERAGES

More than 70 bills were introduced that dealt with alcoholic beverage manufacture, control or use. Of these, five were enacted into law. Bills pertaining to closure of drive-up windows received a great deal of consideration, but House Bill 17, as amended, met with a veto at the governor's hand.

One of the bills signed, **House Bill 498 (Chapter 143)**, increases the allowable production of small wineries to 375 liters annually. Designation as a small winery reduces the liquor excise tax imposed on the sale of its wine in New Mexico from \$.20 per liter to \$.10 per liter.

The other four bills made regulatory changes. **House Bill 131 (Chapter 223)** amends the language of Section 60-6B-10 NMSA 1978 to permit local governing bodies to issue waivers to enable liquor licensees to locate their premises within three hundred feet of a school or church.

Senate Bill 132 (Chapter 229) permits small breweries to have two off-premises tasting rooms where sales of beer produced by the brewer may be made by the glass or in unbroken packages. The bill also enables a small brewer to apply for a public celebration permit that allows him to sell beer he produces or beer produced or bottled for him at a broad range of public events. Fees of \$200 for each off-premises permit and \$10.00 for each public celebrations permit are imposed.

Senate Bill 814 (Chapter 55) increases the number of dispenser's or retailer's licenses that may be transferred into a local option district in any calendar year from five to 10. The law also allows a retailer's or dispenser's license to be leased by the owner immediately after its transfer to a new local option district. Section 60-6B-13 NMSA 1978, which required a three-year waiting period before the licensee could reopen the premises and sell alcoholic beverages under a transferred license or restaurant license, is repealed.

Senate Public Affairs Committee Substitute for Senate Bill 1264 (Chapter 265) amends the special dispenser's permit provisions of Section 60-6A-12 NMSA 1978 to clarify that a dispenser who dispenses alcoholic beverages pursuant to a special dispenser's permit at a public celebration sponsored by a church may donate all or part of the proceeds to the sponsoring church. The amendment also permits employees of the licensee who have completed a certified alcohol server training program to donate their services to the sponsoring church as servers at the public celebration.

APPROPRIATIONS AND REVENUE

The state's economy has moderated substantially from the Rocky Mountain boom era, but, even so, the longer-term prospects for economic growth are good. The FY 1998 consensus estimate agreed to by executive and legislative economists forecast only a 2.6 percent increase over FY 1997, with oil and gas representing the most drag. The forecast, last revised in December 1996, predicts a 14 percent decline in severance taxes and a 17 percent decline in state land office and federal mineral lease income for FY 1998; however, oil and gas is volatile in both volume and price, and may surprise the analysts. On the positive side, the following increases are expected: 6.2 percent in gross receipts taxes; 2.6 percent in selective sales taxes; 6.6 percent in income taxes; 3.7 percent in license fees; 4.5 percent, after adjustments represented by this year's legislation, in total interest; and 6.6 percent in miscellaneous receipts. Next fiscal year's revenue estimate is for just over \$3 billion.

The current year's forecast has been adjusted upward, so the state will end FY 1997 better than originally estimated, but the increase may not propagate because the strength is in nonrecurring sources, due primarily to a much higher compliance rate for estimated tax payments. Rather than the expected initial compliance rate of 50-60 percent, the state is seeing a surprising 75-80 percent compliance; this may raise the personal income tax estimate by \$20 to \$25 million. As of late April, analysts are observing an upward trend on current year gross receipts that could realize perhaps \$10 million over estimate.

The legislature this session passed, and the governor signed, general fund appropriations totaling \$92, 892,457 for FY 1997 and \$3,001,308,775 for FY 1998. The General Appropriation Act of 1997 (**Chapter 33**) totaled \$1,603,485,600, but did not include funding for public schools. Public school funding totaling \$1,375,932,300 for FY 1998 was provided in **Senate Bill 100 (Chapter 32)**.

House Bill 1 (Chapter 1), the feed bill, is the annual appropriation for the legislative session and other expenses of the legislature. The legislature appropriated \$5,889,257 for FY 1997 and \$7,674,941 for FY 1998. This year, legislative interim expenses were provided in **House Bill 838 (Chapter 41)** at \$895,200; legislative retirement was funded in that chapter at \$102,000 from cash balances of the legislative council service.

House Bill 1392 (Chapter 175) funds salary increases for state employees as follows:

- (1) \$4,477,300 for classified executive employees;
- (2) \$ 246,915 for state police;
- (3) \$ 425,295 for district attorney permanent employees;
- (4) \$ 519,247 for judicial permanent employees; and
- (5) \$ 136,300 for legislative permanent employees, except directors, deputy directors and chief clerks.

The total appropriation of \$5,805,057 is based on an average two and one-half percent raise. Raises are subject to satisfactory job performance; those employees who are at the top of their range will get lump-sum payments.

One of the legislature's annual special appropriations is to the development training fund to support the popular in-plant training program. This year's appropriation was for \$6 million.

With the resignation of Congressman Bill Richardson upon his appointment as ambassador to the United Nations, the legislature appropriated \$547,000 to the secretary of state for FY 1997 to defray the costs for counties to conduct the third congressional district special election (**House Voters and Elections Committee Substitute for House Bill 1365, Chapter 179**).

The **Appendix** contains several tables detailing legislative action on general fund expenditures and includes a complete list of special appropriations.

COURTS

As usual, there were a number of bills introduced to increase the number of judges in the district and magistrate courts. **House Appropriations and Finance Committee Substitute for House Bills 277, 175, 587 and 784 (Chapter 180)** provides for one additional judge in the first judicial district and two additional judges in the second judicial district. One of the new judges in the second judicial district is designated to

preside over the operation of a drug court. The act carried an appropriation of \$1,742,777 for the district courts, the public defender department and the second district attorney's office.

There were other bills that affect judicial administration. **Senate Bill 371 (Chapter 114)** authorizes a chief district court judge to appoint a retired magistrate judge to serve as a magistrate judge pro tempore. **Senate Bill 372 (Chapter 53)** states that the magistrate courts shall operate under the direction and control of the supreme court. Formerly, the administrative office of the courts supervised the administration of the magistrate courts. The administrative office of the courts, under the supreme court's supervision, will now provide administrative support to the magistrate courts.

Senate Judiciary Committee Substitute for Senate Bill 613 (Chapter 198) authorizes the director of the administrative office of the courts to obtain criminal history information regarding each applicant for a license to practice law in New Mexico. To that end, each applicant shall provide a fingerprint impression or other identifying information when applying for a license to practice law.

In substantive law, **House Bill 765 (Chapter 153)** provides for a court hearing to determine competency to stand trial for an individual thought to be mentally retarded. If the court finds that the individual is mentally retarded, the department of health may be ordered to evaluate the defendant and, if necessary, to proceed with commitment efforts.

See the **Uniform Law** section for other significant substantive law changes. See **Constitutional Amendments** for a discussion of a proposed change to the membership of the judicial standards commission. Also see **Crimes and Law Enforcement** and **Domestic Relations** for related bills.

CRIMES AND LAW ENFORCEMENT

As it does every year, the legislature spent significant time and energy addressing law enforcement and criminal law issues.

House Bill 86 (Chapter 43) authorizes the use of DWI convictions from other jurisdictions as prior convictions under New Mexico law. However, the use of DWI convictions from other jurisdictions is limited to those jurisdictions that have equivalent DWI laws.

House Bill 88 (Chapter 242) requires that all persons arrested or convicted for committing DWI be fingerprinted. Law enforcement officials will be able to use the

information to identify repeat DWI offenders who are responsible for a disproportionate number of alcohol-related crashes.

House Bill 211 (Chapter 10) rewrites the elements for the crime of stalking and toughens penalties for those who commit stalking. A second conviction for stalking is now a fourth degree felony, increased from a misdemeanor under past law. Also, a new criminal offense known as aggravated stalking is created. A first conviction for aggravated stalking is a fourth degree felony and a second or subsequent conviction is a third degree felony.

House Bill 310 (Chapter 11) revises the criteria for determining which prospective parolees may be placed in reintegration programs. Specifically, criminal offenders convicted for a felony offense involving the use of a firearm may not be placed in a reintegration program.

House Bill 311 (Chapter 140) provides that criminal offenders convicted for two violent sexual offenses, when the victim of each offense is less than 13 years of age, be punished by a sentence of life imprisonment without the possibility of parole.

Senate Bill 4 (Chapter 260) gives county sheriffs the authority to designate federal law enforcement officers as New Mexico peace officers. The bill also expressly recognizes United States probation officers and United States pretrial services officers as federal law enforcement officers who may be designated to act as New Mexico peace officers.

Senate Judiciary Committee Substitute for Senate Bill 114 (Chapter 105) enacts the DNA Identification Act. The act establishes procedures for creating and using a database of DNA records for convicted felons. The DNA records will be used by law enforcement agencies to identify or exclude suspects during criminal investigations.

House Bill 720 (Chapter 157) abolishes the statute of limitations for prosecuting capital felonies and first degree felonies. Consequently, the previously existing 15-year statute of limitations no longer applies and prosecutions for these crimes may commence at any time after the occurrence of the crime.

Senate Bill 746 (Chapter 122) creates a new criminal offense known as disarming a peace officer. The penalty for committing the offense is a third degree felony.

Senate Judiciary Committee Substitute for Senate Bill 774 (Chapter 208) increases the penalty for bribery or intimidation of a witness from a fourth to a third degree felony. The penalty for retaliation against a witness is increased from a fourth to a second degree felony. Also, the bill increases penalties for persons convicted for the offense of jury tampering.

Senate Bill 1150 (Chapter 268) amends the Crime Victims Reparation Act to extend the time limit for applying for reparations from one year to two years. Also, reparation payments will not be made unless the crime is reported to police within thirty days after its occurrence. The bill also makes New Mexicans injured or the families of New Mexicans killed by an act of international terrorism eligible for reparation payments.

DOMESTIC RELATIONS

Few major pieces of legislation were introduced on matters relating to domestic relations, but those that received gubernatorial approval will have far-reaching effects.

House Bill 101 (Chapter 132) amends the law relating to adult protective services to provide increased protection for incapacitated adults and to facilitate investigation of abuse of the elderly. The law will now permit the children, youth and families department to provide services in certain circumstances previously prohibited. It also affords protection to individuals who are capable of making their own decisions but who elect to refuse placement or services and protects their rights when they accept voluntary placement and services. Confidentiality laws are amended to specify in considerably greater detail which authorized personnel may have access to confidential records maintained pursuant to the Adult Protective Services Act and when persons providing records pursuant to that act are protected with immunity from liability.

House Judiciary Committee Substitute for House Bill 717 (Chapter 34), revises provisions of the Children's Code. The law amends the definition of abused child, clarifies which agencies are responsible for investigating alleged incidents of child abuse or neglect and changes procedures and time frames for hearings held pursuant to the Abuse and Neglect Act. Additionally, it amends provisions of the Adoption Act regarding notice requirements for pending adoptions.

Senate Bill 784 (Chapter 209) provides that a victim of domestic violence need not indicate current residence on a voter registration card. Voter registration cards are public documents and the information is available to anyone who asks for it.

Senate Bill 882 (Chapter 56) offers to resolve sometimes-difficult child support issues involving older children by permitting the support of children emancipated by age, provided they are attending high school and are under the age of 19. The act further permits maintenance and education support beyond high school for emancipated children, provided such support is pursuant to a written agreement between the parties.

House Judiciary Committee Substitute for Senate Bill 1162 (Chapter 237) amends various statutes relating to child support to bring our laws into compliance with federal requirements under the new federal Family Assistance and Personal Responsibility Act of 1996 and compliance with the Support Enforcement Act. Among other provisions, the law establishes a state directory listing newly hired employees in order to facilitate location of individuals for purposes of establishing paternity and enforcing child support obligations. The law also expedites various procedures allowing both the custodial parent and the state to collect support due, and clarifies provisions relating to establishment of paternity.

The Uniform Interstate Family Support Act, **House Bill 90 (Chapter 9)** is discussed in the **Uniform Laws** section. The Domestic Abuse Insurance Protection Act, **House Bill 346 (Chapter 141)**, is discussed in the **Insurance** section.

EDUCATION

The legislature considered a number of proposals in the areas of public schools and higher education. As usual, public school finance was prominent in the legislative debate. In addition to the Education Appropriation Act, **Senate Bill 100 (Chapter 32)**, discussed in the **Appropriations and Revenues** section and the **Appendix**, the legislature made a couple of significant changes to the funding formula. Other topics ranged from educator background checks to advertisements on school buses. In higher education, the legislature appropriated close to \$482.5 million to the state's post-secondary educational institutions in House Bill 2 and made important substantive changes in state law.

Public Schools

House Bill 107 (Chapter 258) allows public school students to be excused from one class period to participate in religious instruction.

House Bill 215 (Chapter 40) amends the Public School Finance Act by changing the public school funding formula to replace the density size adjustment factor with an at-risk factor. It also revises special education indices and establishes program units for special education ancillary service programs. The Education Appropriation Act contains language holding harmless a school district that receives less than its previous year's total program cost as a result of funding formula changes.

House Bill 287 (Chapter 136) amends the Public School Finance Act to remove the mandatory employment of certified nurses.

House Bill 641 (Chapter 19) directs the state board of education to require associations and organizations involved in public school activities to abide by the Open Meetings Act and to be subject to the Inspection of Public Records Act.

House Bill 1128 (Chapter 245) changes the application of student standards for participation in interscholastic extracurricular activities from the second semester of the eighth grade to the ninth grade.

House Bill 1304 (Chapter 193) is the legislation that implements a constitutional amendment approved by voters last year. The bill allows school districts to impose property taxes without going to the voters to pay for debt incurred through lease-purchase arrangements in the acquisition of education technology equipment. The debt is subject to the existing ceiling on school district debt, but, essentially, school districts will be able to incur general obligation debt for up to ten years without voter approval.

Senate Bill 8 (Chapter 100) requires the distribution of instructional material funds directly to local school boards, state institutions and adult basic education centers. Further, adult basic education centers may expend up to 100 percent of their instructional material funds for items that are not on the state textbook adoption list.

Senate Bill 106 (Chapter 238) requires background checks for school personnel, requires school districts to report to the department of education any conviction of a teacher for a felony or a misdemeanor involving moral turpitude and adds convictions for homicide and kidnapping to the list of offenses that can disqualify an applicant for certification.

Senate Bill 382 (Chapter 194) removes the compulsory school attendance exemption for a person judged to be unable to benefit from instruction because of learning disabilities or mental, physical or emotional conditions.

Senate Bill 632 (Chapter 233) allows school districts to lease advertising space on school buses and creates the school bus advertising fund to be administered by the department of education. School bus owner-operators will receive a portion of the money raised, but the majority of the proceeds will be used by the districts to purchase educational technology and pay for extracurricular activities.

Senate Bill 688 (Chapter 234) requires that American sign language be offered as an elective in public high schools.

Senate Bill 997 (Chapter 261) requires the department of education to establish the format of school district accountability reports and to ensure that relevant data are provided. The department is required to establish different levels of accreditation to measure schools and to provide incentives for schools achieving the highest accreditation level. Additionally, the department is required to establish corrective actions and interventions for schools with low accreditation levels.

Senate Bill 1155 (Chapter 236) provides financial incentives to schools that exceed expected academic performance. The department of education is directed to develop a formula to measure school achievement in the area of academic performance with consideration of socioeconomic variables.

Senate Bill 1235 (Chapter 127) eliminates discrimination by public schools and state universities against home-schooled students. It provides that home-schooled or nonpublic school students be enrolled in public school at the level appropriate to their age and test scores rather than a lower level. It also prohibits state post-secondary educational institutions from requiring a GED for a home-schooled or nonpublic school graduate.

Higher Education

House Bill 563 (Chapter 259) provides a mechanism for parents and other interested parties to save for their children's education through a prepaid higher education tuition program or a college investment plan. Payments and earnings are deductible from state income tax. A companion bill, **Senate Bill 667 (Chapter 206)**, provides an appropriation of \$100,000 to the commission on higher education to study and implement a prepaid tuition plan.

An important measure for families with college-bound children is the lottery tuition fund distribution bill, **Senate Bill 168 (Chapter 106)**. The bill distributes the current lottery receipts to the various state schools for scholarships.

Senate Bill 1115 (Chapter 126), the WICHE Loan for Service Act, converts the student exchange program of the western interstate commission on higher education to a loan-for-service program similar to the state's other educational loan programs. Current participants in the WICHE program are not affected.

ELECTIONS

Many election measures were introduced this session, often as a result of a problem that occurred at the general election in November 1996. In particular, testing the validity of signatures on nominating petitions created many headaches for courts and candidates alike. In one instance, when the court decided that the candidate's petition was valid after all, it was too late to include that candidate's name on the primary election ballot, which had already been printed. Because of confusing and somewhat contradictory language in the Election Code and the differing facts of each case, the courts rendered inconsistent opinions on this issue. Legislation was introduced to clarify requirements for validating a nominating petition signature. **House Bill 974 (Chapter 15)** requires the district court to hear an appeal filed by a disqualified candidate within no more than 10 days after filing; **House Bill 290 (Chapter 252)** requires a school board candidate to physically reside within the district where he is a candidate.

Senate Bill 643 (Chapter 201) provides that absentee ballots used for the general election may not ask for party affiliation information from a voter, since it is not necessary for that particular election.

Senate Bill 1022 (Chapter 266) allows a voter who applied for an absentee ballot, but did not receive one by election day, to go to his regular polling place to vote, after affirming that he has not previously voted. The law also allows the municipal clerk to consolidate precincts if it is in the best interest of the voters in those precincts and does not compromise the election process.

Finally, **House Bill 864 (Chapter 85)** may be the most important bill dealing with elections, although it will not affect elections for a few years. This law requires the adjustment of every precinct boundary to coincide with a street name or with a visible geographic feature, in anticipation of the federal census that will be conducted April 1, 2000. Steps to update each county map to ensure inclusion of all new roads and homes built since the last census and to provide the census bureau with the most current information have been underway for a couple of years now, and will continue up to the time of the census. After the maps are updated, the census bureau will have the final word on any precincts it perceives to be questionable. The agreement between the state and the census bureau on the precinct boundaries becomes critical in the redistricting process, which uses the population figures from each precinct as a baseline to determine if and where the new district lines should be drawn. Once that is completed, both houses of the legislature will be reapportioned to provide their districts the proper representation based on that census information. Redistricting and reapportionment of the legislature will occur within two years following the census.

Senate Bill 784 (Chapter 209), relating to deletion of domestic violence victims' addresses on voter registration cards, is discussed in the **Domestic Relations** section. **Senate Bill 1158 (Chapter 262)**, enacting the Public Regulation Commission Apportionment Act, is discussed in **Utilities**.

ENERGY AND NATURAL RESOURCES

Deliberations on energy and natural resources this year were set against a backdrop of evolving trends in the electric utility industry that portend major restructuring of how electricity is provided to consumers (see **Utilities**). Energy-related bills enacted this year, however, involved relatively minor changes in technical aspects of regulatory laws, including the New Mexico Mining Act and New Mexico's role in enforcement of the federal Pipeline Safety Act.

House Energy and Natural Resources Committee Substitute for House Bill 1095 (Chapter 88) amends the New Mexico Mining Act to provide for an additional public hearing for on mining permit applications, ensures that interested parties are notified of permit applications, establishes in law a fixed schedule of mine inspections and provides for change in judicial venue for citizens' lawsuits.

Senate Bill 810 (Chapter 30) brings New Mexico into compliance with the Federal Pipeline Safety Act and maintains the state's eligibility for federal funds under that act. The bill establishes a mandatory statewide one-call notification system for excavation in areas of existing pipelines that transport oil or gas. The bill will provide a system to minimize potential hazards of excavations near pipelines and to maintain pipeline safety. The federal government pays up to 50 percent of the costs of states' pipeline safety programs.

ENVIRONMENT

Population growth in New Mexico over the past decade has approached 30 percent in certain areas. The resulting urban growth has significantly affected the state's culture, social and political life and its environment. A new interest group, One Thousand Friends of New Mexico, was formed last year to foster a statewide comprehensive response to rapid growth. No major legislation was proposed this year, but several limited amendments dealing with growth issues were considered and enacted. The regulation of liquid waste, primarily in rural areas, was refined, and a provision for voluntary cleanup of contaminated sites was enacted.

House Bill 308 (Chapter 139) gives the department of environment authority to regulate on-site liquid waste systems. The bill gives the department of environment greater enforcement authority than previously existed for the construction industries

division of the regulation and licensing department, which had been the lead agency for installation of septic systems and other on-site liquid waste facilities. The department of environment will now have authority to issue compliance orders, revoke permits and assess civil penalties against potential violators of the law.

House Bill 719 and Senate Bill 467 were companion bills (**Chapters 152 and 231**, respectively) that changed the Emergency Management Act's definition of orphan hazardous materials to include substances used in the manufacture of controlled substances. The bills thus will allow the use of money from the emergency response fund for cleaning up any substances used in the illegal manufacture of controlled substances regardless of whether they are hazardous in the technical sense.

Senate Finance Committee Substitute for Senate Conservation Committee Substitute for Senate Bills 446 and 362 (Chapter 38) provides for the voluntary remediation of contamination. Future liability of landowners and real estate lenders is removed if owners or operators voluntarily clean up contaminated sites with state oversight. The department of environment will administer the program, which will be paid for entirely by the owners or operators.

ETHICS

The major bill concerning governmental ethics passed this year was **Senate Bill 229 (Chapter 112)**, which enacts the recommendations of the governmental ethics oversight committee. The bill provides for improvements in the process of arbitrating penalties imposed by the secretary of state for alleged violations of the Campaign Reporting Act, the Lobbyist Regulation Act or the Financial Disclosure Act. These acts had provided for arbitration by a three-member panel, and the process of selecting and scheduling arbitrators was time-consuming and difficult. The new law provides for arbitration by a single arbitrator selected by the person against whom a penalty has been imposed from a list of five arbitrators provided by the secretary of state.

The bill also requires supplemental reports of large lobbyist expenditures (greater than \$500) during a legislative session within 48 hours of the expenditure, allows the secretary of state to adopt and promulgate rules and regulations to administer the Campaign Reporting Act and provides a requirement for reporting expenditures in excess of \$2,000 on political advertising campaigns.

Senate Bill 229 was the last piece of legislation endorsed by the governmental ethics oversight committee, which ceased to exist as of December 1996.

FINANCIAL INSTITUTIONS AND SECURITIES

Several bills were passed pertaining to the finance area of commercial law. For the most part, the legislation involved regulation of banks and financial institutions. Probably the most noteworthy substantive change was the granting to banks and financial institutions the authority to sell insurance.

House Bill 238 (Chapter 48) grants authority to banks, savings and loan associations and credit unions to sell insurance under specified conditions. This is accomplished through repeal of a section of the existing Insurance Code and enactment of a revised version of that section (Section 59A-12-10 NMSA 1978). The types of insurance for which selling authority is granted includes all products defined or regulated under the code as "insurance", **except for:** credit life, credit accident and health, credit involuntary unemployment, credit casualty and credit property insurance; insurance placed by a lending institution on the collateral pledged as security for a loan when the debtor breaches the contractual obligation to provide that insurance; and private mortgage insurance and financial guarantee insurance. Other details in the section cover requirements for disclosure to consumers to avoid confusion between FDIC-insured accounts and uninsured insurance products and many provisions to assure that the insurance business is kept separate from lending activities, particularly those in which some insurance products are involved.

House Bill 529 (Chapter 23) enacts a series of amendments to banking laws regulating state banks. The percentage of appraised value of real estate necessary to secure a bank loan is lowered. Other amendments loosen restrictions on state bank loans and allow the regulator more discretion in permitting investments and other activities of state banks. Capital stock and paid-in surplus requirements for consumer credit banks are lowered from \$4 million to \$2 million. Also, the requirement for a minimum number of employees located in this state and engaged in credit card activities on or before the first anniversary of commencement of operations of a consumer credit bank was removed.

Provisions of the New Mexico Securities Act of 1986 are amended by **House Bill 658 (Chapter 156)**. The changes are made to accommodate changes in the federal law. A new term, "federal covered security", is defined and then included in "securities" that may be sold in the state without registration. The bill also includes changes in provisions for licensing investment advisers by excluding from the licensure requirement persons registered as investment advisers pursuant to federal law; persons having no place of business in this state and acting as investment adviser representatives if employed, supervised or associated with a federally registered investment adviser; persons excepted from the definition of investment adviser under federal law; and persons acting as investment adviser representatives if employed by, supervised by or associated with the

excepted person. Some reciprocity provisions are enacted to permit compliance in the state of principal place of business to fulfill New Mexico requirements. Although a federally covered security does not need to be registered, the director of the financial institutions division of the regulation and licensing department may require certain items to be filed and fees to be paid in connection with such a security.

Senate Bill 594 (Chapter 195) is a lengthy bill that makes changes to the current Credit Union Regulatory Act. One reason for its length is that the enacted law changes the short title designation to the Credit Union Act, thereby requiring amendments of many sections of the compilation for the sole purpose of changing the name of the act. Among several other changes made by this chapter are: the definition of risk assets is changed to remove the statutory exclusion of present law and replace it with regulatory exclusion at the discretion of the director of the financial institutions division; a definition of service facility is added; changes are made in regulation-making procedures; a provision is added authorizing the director to require a credit union to establish or activate the use of membership shares when he determines that the action is necessary to protect the credit union; changes are made in the requirements concerning loans to officers; and provisions are added permitting delegation of authority in a more flexible manner. Other changes, too numerous to include here, are made throughout the act.

Also see **Uniform Laws** for applicable changes to the Uniform Commercial Code and **Property Law** for the Land Title Trust Fund Act.

GAME AND FISH

Bills pertaining to hunting and fishing garnered a fair amount of attention this year, from an increase in criminal and civil penalties to a rewrite of last year's controversial nonresident hunting license restrictions.

House Bill 249 (Chapter 224) changes criminal fines and jail sentences and civil penalties for poaching.

House Agriculture and Water Resources Committee Substitute for House Bill 468 (Chapter 78) provides that wild game meat products may be donated by hunters to charitable, religious or other nonprofit organizations and served for human consumption at no charge if transported, stored and processed according to procedures established by the department of environment.

Last year, the legislature passed and the governor signed a bill to limit the number of out-of-state hunters eligible for special hunts; to require that they be accompanied by New Mexico-licensed outfitters or guides; and to require a \$5,000 registration fee for nonresident outfitters. The bill was highly controversial and the state was sued by a group of out-of-state hunters and outfitters. This year, there were several bills introduced that attempted to fix the problems between resident sportsmen and outfitters and between resident and nonresident hunters and outfitters. **Senate Bill 430** became the vehicle for the agreed-upon amendments. The bill was heavily amended in the senate before all parties agreed on the final result, and it was signed into law as **Chapter 119**. As it now stands, the law provides that 22 percent of the licenses for special hunts will be available to nonresidents, 12 percent of whom will be guided by New Mexico outfitters or guides and 10 percent of whom are not required to be guided. In addition, resident and nonresident outfitters pay the same annual \$500 registration fee; conditions for establishing a high-demand hunt are changed; outfitters are allowed to apply for inactive status and reinstatement; and criminal penalties are provided for violation of Section 17-2A-3 NMSA 1978, which is the section that provides the qualifications and procedures for registration as an outfitter or guide.

GAMING

The legislature had been embroiled in a continuing debate and consideration of various gambling bills for several years, but no single proposal for Indian and non-Indian gambling was able to win approval until this year.

House Bill 399 started out as a proposal from the governor's office and, after numerous and substantial changes, including four committee substitutions, was passed by the legislature in last few days of the session. The governor signed **House Appropriations and Finance Committee Substitute for House Taxation and Revenue Committee Substitute for House Judiciary Committee Substitute for House Business and Industry Committee Substitute for House Bill 399** on April 10, 1997, and the bill became **Chapter 190**.

The structure of the introduced bill, the first part being a tribal gaming compact and revenue-sharing agreement and the second part being a separate act covering permitted nontribal gaming, was retained during the bill's journey through the legislature. The provisions tying these parts of the law together are of interest and have been the subject of substantial comment.

Allowed nontribal gaming activities are authorized in the Gaming Control Act (Sections 3 through 63 of Chapter 190); however, no provisions of that act are effective until a valid compact is signed by a tribe and the state and approved by the secretary of the interior. Preconditions for legal gaming are:

(1) for a tribe, execution of a compact and revenue-sharing agreement between the tribe and the state and approval by the secretary of the interior; and

(2) for all other permitted activities, occurrence of the events described in (1) for at least one tribe and then compliance with the provisions of the Gaming Control Act.

Gaming Compact

Section 1 of Chapter 190 enacts the Indian Gaming Compact. To engage in tribal gaming pursuant to the federal Indian Gaming Regulatory Act, a tribe must enter into a compact with the state. Once approved by the secretary of interior, it becomes a binding contract.

The compact provisions permit a gaming tribe to conduct casino-type gaming, including table games and machine gaming. The tribe is the owner of the gaming facility and a tribal entity, called the gaming enterprise, operates it. The tribal gaming agency, created by the tribe, regulates the gaming operations and assures that the compact provisions are followed. The state is permitted some oversight, but all final decisions remain with the tribe. The operations are, however, subject to the restrictions and conditions of the compact and include:

(1) restricting participation in and employment in the gaming operations to persons 21 years of age or older;

(2) requiring leave, health and insurance benefits, workplace safety conditions, workers' compensation and unemployment insurance benefits and wage and hour requirements for facility employees to be similar to those applying to nontribal employees in the state;

(3) restricting the cashing of checks and the operation of automated teller machines located on the premises of a gaming facility;

(4) prohibiting discrimination in employment by the tribe;

(5) establishing minimum specifications for gaming machines and an in-facility central computerized reporting and auditing system; and

(6) prohibiting alcoholic beverage in areas where gaming is allowed.

The compact also provides for licensing by the tribal gaming agency, including procedures for background investigations, record-keeping requirements and access by the state gaming representative, alternative dispute resolution procedures and provisions for enforcing both criminal and civil liability for actions arising from the gaming activities.

The term of the compact is nine years. It may be renewed, but neither party has a right to renewal.

A tribe entering into a compact agrees to pay substantial fees to the state as reimbursement for costs the state incurs in carrying out its functions authorized by the terms of the compact. The regulatory fees are, per quarter: \$6,250 per facility; \$300 per gaming machine; and \$750 per gaming table or device other than a gaming machine. These fees increase annually by five percent.

Revenue-Sharing Agreement

Section 2 of the law enacts the revenue-sharing agreement and provides that only a tribe that has entered into a revenue-sharing agreement may execute an Indian gaming compact. Section 4 of the revenue-sharing agreement, which is all within Section 2 of the act, provides that its provisions continue in effect only if there is a binding compact in effect between the tribe and the state but are subject to termination if the state permits expansion of nontribal class 3 gaming in the state. Excluded from the prohibited expansion are enactment of a state lottery; permitting fraternal, veterans or other nonprofit membership organizations to operate electronic gaming devices for the benefit of the organization's members; limited fundraising activities conducted pursuant to Section 30-19-6 NMSA 1978, which is the provision of existing law that the New Mexico supreme court has said does not permit casino type gaming; and permitting horse racetracks to operate electronic gaming devices on days on which live or simulcast horse racing occurs.

The revenue-sharing agreement provides that the state shall receive 16 percent of the net win from each tribal facility. Net win is defined as the total amount wagered at a facility on gaming machines less prizes paid out, regulatory fees paid the state and \$250,000 representing tribal regulatory fees (escalates annually at the rate of five percent). The recited consideration for the payment of the revenue share is the granting of limited exclusivity of gaming activities to the tribe.

Gaming Control Act

The next 83 pages of the law contain the Gaming Control Act, and the last 15 pages include amendments to existing law to accommodate the provisions of the Gaming Control Act, a severability clause covering only the Gaming Control Act and a delayed effective date (explained above).

Space does not permit a detailed explanation of the Gaming Control Act. A summary of provisions by indicated categories follows:

Definitions: 40 terms are defined. "Gaming machine" includes virtually all slot machines, video game machines and electronic gambling devices. "Nonprofit organization", the operative term for describing gaming entities other than racetracks, includes only tax-exempt veterans' organizations and fraternal organizations in existence in New Mexico prior to January 1, 1997. Many of the definitions cover terms used to describe relationships among different types of organizations for the purpose of determining what disclosures and background investigations must occur when the applicant or licensee is a "company" (a term that includes all legal entities that are not a single natural person).

Regulatory provisions pertaining to organizational structure: A gaming control board of five members, three appointed by the governor with the advice and consent of the senate and two ex-officio voting members, the chairman of the state racing commission and the chairman of the New Mexico lottery authority, is created. The board has broad discretionary authority to regulate gaming activities. It adopts all regulations and issues all licenses. It appoints an executive director who, in turn, hires necessary personnel, including certified peace officers for enforcement purposes. The executive director is exempt from the Personnel Act, but all other employees are classified. Explicit provisions for background investigations and reasons for disqualification apply to board members, the executive director and employees. Specific conflict of interest rules are enacted. The appointed board members are full-time salaried state officials. Terms are five years with initial staggering. Of the three appointed members, one must be a person with law enforcement experience, one must be a certified public accountant and one must be an attorney licensed to practice in New Mexico. Regulation authority is detailed and is mandatory for some items and broadly discretionary for others.

Licensing, permitting and certification by board: Manufacturers, distributors, gaming operators and gaming machines are required to be licensed. The application process includes detailed background investigation requirements for all individuals and entities involved in any licensed activity. Provisions for certifications of suitability and the consequences of a finding of nonsuitability are set out in this part of the bill. The board is granted exclusive and unlimited discretionary power to determine whether to

issue, deny, suspend, revoke or condition any license, permit or other approval. A licensee may not hold more than one type of license.

<i>LICENSE FEES</i>		
<i>License</i>	<i>Initial Fee</i>	<i>Renewal</i>
Manufacturer	\$20,000	\$5,000
Distributor	10,000	1,000
Racetrack gaming operator	50,000	10,000
Nonprofit gaming operator	1,000	200
Gaming machine, each	500	100
Gaming Employee work permit	100	100

The board is also authorized to charge fees established by regulation, not to exceed \$1,000, for all certifications and other actions requiring board approval.

Regulatory requirements pertaining to licensees and applicants: The act provides both general and special conditions for qualifications to apply for and be issued an operator's license and provides conditions for other types of licenses.

All applicants for a gaming operator license must include in their applications for licensure a business plan and a plan for assisting in the prevention, education and treatment of compulsive gambling. A restricted area with a physical barrier must be created for the placement of machines and no person under 21 may enter the area. No automated teller machines are permitted in the restricted area. Food and alcohol may not be provided or arranged to be provided at no charge or reduced prices as an incentive for patrons to game.

A racetrack licensed by the state racing commission is eligible to apply for operation of not more than 300 licensed gaming machines on days when live racing or simulcasting occurs for up to 12 hours a day, except for the state fair racetrack, which may not operate machines later than 10:00 p.m. Minimum numbers of race days and races must be maintained or the license will become automatically void. Alcoholic beverages may not be served in the gaming machine restricted area.

A nonprofit gaming operator licensee may operate up to 15 machines for play by active and auxiliary members. Prizes may not exceed \$4,000. Hours of

operation are from noon until midnight every day. Alcoholic beverages may not be served in the gaming machine restricted area.

Manufacturers must be licensed to manufacture gaming devices within the state or for use within the state. Distributors may not distribute any gaming device for use within the state without a license. A licensed manufacturer may distribute, i.e., sell, directly to an operator. Licensed distributors may arrange for leasing or selling gaming machines to an operator in return for a percentage of the proceeds of the machines. Only persons employed by manufacturers or technicians certified by manufacturers and employed by a distributor or operator licensee may service or repair gaming devices.

Regulatory requirements pertaining to gaming machines: Except for a machine being held for transfer to a gaming operator licensee for licensure, no unlicensed gaming machine shall be possessed or kept in a place under the control of a person not licensed as a manufacturer or distributor. Unlicensed machines are subject to confiscation and forfeiture by a law enforcement agency or peace officer. Several sections of the act cover machine specifications and systems. All gaming machines must be connected to a centralized, continuous monitoring, electronic system under the control of the board. Machines must meet specifications at least as stringent as the more stringent of current specifications of Nevada or New Jersey. A payback value for each credit wagered of not less than 80 percent and not more than 96 percent determined over time must be maintained. Machines must be examined, inspected and approved by the board.

Gaming tax: A tax of 25 percent of the net take of gaming operator licensees and 10 percent of gross receipts from sales, leases or transfers of gaming machines of licensed manufacturers and distributors is imposed. A manufacturer may deduct gross receipts from sales or leases to a distributor for subsequent sales or leases. Net take is calculated as the total received from patrons less amounts paid out to winners.

Crimes created: A number of gaming-related crimes are created, the majority of which are punishable as fourth degree felonies.

Other provisions: The board is authorized to grant testimonial immunity for persons with the written approval of the attorney general. Enforcement provisions include authority to bring civil actions for restraint of violations; imposition of an administrative penalty in an amount up to \$50,000; suspension, revocation or conditioning of a license; orders excluding individual licensees from the premises of a gaming operator licensee and from remuneration or participation in profits of the establishment; and a listing of persons who are to be excluded or ejected from establishments. Procedures to provide hearings and both administrative and judicial review of determinations are part of the act. A gaming operator licensee is authorized to

detain a person suspected of violation of a provision of the Gaming Control Act. A lien for enforcement of child support obligations is created on winnings in excess of \$600.

If the conditions necessary to trigger Chapter 190's delayed effective date occur, the law provides a mechanism for the state's limited involvement in tribal gaming and a regulatory system for nontribal gaming.

HEALTH

The health-related bills that were enacted fall generally into three categories: (1) health planning initiatives; (2) laws directly affecting health care facilities; and (3) requirements relating to the provision of various types of health services.

Health Planning

House Bill 355 (Chapter 51) amends the Indigent Hospital and County Health Care Act to authorize funding for countywide or multicounty health planning efforts. This is designed to foster more effective regionally-based health planning activities. The act's amendments also broaden the criteria for receiving county indigent funds to expand coverage and provide a wider range of health services for indigents.

The right to make major health care planning decisions affecting one's life, or a person being cared for pursuant to law, is refined in the amendments to the Uniform Health-Care Decisions Act adopted in **House Bill 1202 (Chapter 168)**. New Mexico was one of the first states to enact right to die legislation. Recent laws around the country have focused on other rights of individuals to make health-care decisions and termed "advance health-care directives". Keeping pace with these changes, this bill amends procedures in the Uniform Health-Care Decisions Act, repeals the Right to Die Act and consolidates relevant provisions affecting an individual's major health care decisions into one statute. Among other things, the bill clarifies when to withhold or withdraw certain treatment, including artificial nutrition and hydration, and specifies directions to provide the best medical care possible to keep the patient clean, comfortable and free of pain at all times to maintain dignity, even if it hastens death.

Health Care Facilities

Various laws were enacted affecting different types of health care facilities and providers.

Addressing the continued growth in managed health care plans, the Provider Service Network Act was enacted through **Senate Public Affairs Committee Substitute for Senate Bill 189 (Chapter 107)**. The act directs when groups of providers who join together to contract with managed care plans or provide direct services must be licensed

under the Insurance Code or offer other protections to consumers. The protections include the creation of a provider service network guaranty association to provide funds for consumers when provider service networks face financial failure or difficulties.

Another law that represents a response to the growth in managed health care is **Senate Bill 267 (Chapter 98)**, which amends the Medicaid Fraud Act to specify and make illegal the types of fraudulent activities that can occur under a managed health care system. The act also provides for significantly increased civil and criminal penalties for fraudulent acts, including imposing a fine on an entity that commits medicaid fraud of up to \$50,000 for a misdemeanor and \$250,000 for a felony.

Senate Bill 198 (Chapter 230) amends the Primary Care Capital Funding Act in various ways. It expands the use of loan proceeds for primary care clinics and removes lien requirements that made it difficult to provide loans to deserving clinics that could provide adequate security and protection for the loans.

Senate Bill 350 (Chapter 113) provides for the consolidation of license applications for a hospital that also operates as a hospital-based primary care clinic. The act is designed to streamline the government's administrative licensing procedures.

Two laws affecting long-term care were enacted. The Long-Term Care Ombudsman Act was amended in **Senate Bill 1237 (Chapter 257)** to specify the kind of care given to the approximately 7,000 New Mexicans who reside in long-term care facilities. The amendments also address requirements to ensure the independence of the long-term care ombudsman. In general, the amendments ensure continued federal funding for the New Mexico long-term care ombudsman program by including clarifications required in the federal Older Americans Act.

Senate Bill 651 (Chapter 202) requires that criminal background checks be completed on all caregivers employed or applying for employment by long-term care providers. Under the act, a long-term care provider may deny employment to persons convicted of specified serious criminal offenses or other offenses.

Senate Bill 978 (Chapter 217) provides for the development and implementation of a plan to control the growth of intermediate care facilities for persons with mental retardation and clarifies their role in the developmental disabilities care system.

Health Services

The legislature addressed a number of specific health problems and health services. For health services required to be covered by health insurance policies, including diabetes, childhood immunizations and certain surgical procedures, see the **Insurance** section.

Senate Bill 37 (Chapter 247) creates the brain injury services fund. Funded by a \$5.00 add-on fee for violations of the Motor Vehicle Code involving the operation of a motor vehicle, it maintains a program to increase the independence of persons suffering from traumatic brain injuries. The law creates the brain injury services fund and provides that money in the fund is appropriated to the department of health to be used to institute and maintain a statewide brain injury services program designed to increase the independence of persons with traumatic brain injuries.

Senate Public Affairs Committee Substitute for Senate Bill 220 (Chapter 256) enacts the Harm Reduction Act. The act seeks to prevent the transmission of the human immunodeficiency virus, hepatitis B and C viruses and other blood-borne diseases. With a needle exchange program for sterile hypodermic syringes and other services, the act also encourages intravenous drug users to seek substance abuse treatment, counseling and education to decrease the risk of transmitting blood-borne diseases.

Health-related bills are also discussed under other headings of the Highlights, including **Insurance, Professional, Occupational and Business Licensure and Public Officers and Employees**.

INSURANCE

The right to adequate health care and the issues of accessibility and cost have been prominent topics in the national debate for the last five or six years. The New Mexico legislature has grappled with the problem of health care delivery for even longer, as it has tried to find ways to reduce the state's high uninsured rate and address the problems of rural health care delivery. This year, the legislature passed several insurance bills that support health care consumers and ensure needed coverage for preventive measures and chronic conditions.

The Domestic Abuse Insurance Protection Act, **House Business and Industry Committee Substitute for House Bill 346 (Chapter 141)**, was enacted to prohibit insurers from discriminating on the basis of domestic abuse by using the fact of domestic abuse or the insurer's determination of a person's abuse status as an insurance criterion or rating factor. The act also protects victims of domestic abuse, domestic abuse shelters and others from being discriminated against in insurance matters.

House Bill 359 (Chapter 22) preserves the adjusted community rating requirements for individual and group health insurance plans that were scheduled to be replaced on July 1, 1998 with a so-called "pure" rating system based only on age. The continuing requirements limit health insurance premium rating factors only to age, gender, geographic area of employment and smoking practices.

As a result of **House Bill 571 (Chapter 7)** and **Senate Bill 682 (Chapter 255)**, all individual and group health insurance plans must provide basic health care benefit coverage to all individuals with diabetes and elevated blood glucose levels induced by pregnancy. The new law specifies the basic health care benefits, including equipment and supplies, that must be offered.

The Medical Savings Account Act was amended in **House Bill 820 (Chapter 254)** to conform with federal law requirements. When those requirements are met, state tax exemptions consistent with the federal law will be authorized and are expected to encourage the use of medical savings accounts, which many believe will become an attractive option to help reduce the numbers of uninsured persons.

House Bill 832 (Chapter 243) enacts a new law, the Health Insurance Portability Act, and makes amendments to existing Insurance Code provisions to accommodate the new act. Much of the new law was mandated by federal law (the Health Insurance Portability and Accountability Act of 1996) and addresses the issues of availability, portability and accountability of health insurance, both group and individual. The new short-titled state law covers the requirements for group health insurance. The amendments to existing law modify several state acts within the Insurance Code to expand coverage to individuals in a manner that meets the federal requirements. The acts in which changes are made are: the Small Group Rate and Renewability Act; the Medical Care Savings Account Act; the Comprehensive Health Insurance Pool Act; and the Health Insurance Alliance Act. Important aspects of health insurance coverage pursuant to the new law are: limitations upon the inclusion in both group and individual policies of restrictions in coverage and waiting periods pertaining to preexisting conditions; inclusion of children over the age of 18 who are full-time students; changes in adjusted community rating requirements for premium determination; prohibition of discrimination based on health status in determining premium contributions for group plans and in determining eligibility for enrollment; guaranteed renewability of coverage for employers in a group market with exceptions; required coverage of employers in a small group market if application is made, with some exceptions; and opening up of the Health Insurance Alliance Act to provide individual health insurance coverage.

House Bill 856 (Chapter 84) provides that under motor vehicle insurance plans that cover medical payments a person has the right to choose a licensed doctor of oriental medicine who acts within his lawful scope of practice.

House Bill 979 (Chapter 250) requires insurance coverage for childhood immunizations. As with diabetes coverage, this applies to all individual and group plans.

Senate Bill 964 (Chapter 249) requires all individual and group health insurance plans to offer coverage of specified minimum hospital stays for mastectomies and lymph node dissections for the treatment of breast cancer.

In further addressing breast cancer, **Senate Bill 1166 (Chapter 264)** requires that under medicaid, mammograms will be performed based on nationally recognized standards. The act also directs that payment under medicaid for a fee-for-service mammogram shall not exceed the usual and customary charge in the private sector.

The life of the health insurance alliance was extended until June 30, 2002 pursuant to the provisions of **House Business and Industry Committee Substitutes for House Bill 1370 (Chapter 27)**.

One measure that will benefit both public employees and taxpayers is **House Bill 358 (Chapter 74)**, the Health Care Purchasing Act, which is discussed in the **Public Officers and Employees** section.

Two bills, **Senate Bills 190 and 191 (Chapters 108 and 109)**, make changes in the use of money in the patient's compensation fund. The maximum amount of expenses of the medical review commission payable from the fund is raised in Chapter 108 from \$250,000 to \$350,000; Chapter 109 inserts a general restriction in the statute creating the fund to limit expenditures from both the fund and any income from it to purposes of and to the extent provided in the Medical Malpractice Act.

Senate Bill 504 (Chapter 121) makes changes to the general provisions of the Insurance Code relating to notice of hearings on adoption, amendment or repeal by the superintendent of insurance and filing of the actions taken. The law also amends provisions relating to suspension, limitation or revocation of an insurer's certificate of authority by adding as a ground for action the reinsurance by an insurer of all or substantially all of its risks. The special provision for minimum unearned premium reserve computation for surety insurance was deleted from the law by this piece of legislation.

An alternative premium payment plan for group self-insurers of workers' compensation insurance was provided in **House Bill 330 (Chapter 146)**. The plan permits payment of premiums for group members in monthly or quarterly installments, conditioned on premium security being provided by a surety bond in an amount equal to 75 percent of the member's annual premium. **House Bill 396 (Chapter 184)** made

another change in the Group Self-Insurance Act to permit payment of income taxes from the claims fund account rather than the administrative fund account at the discretion of the board of trustees of the group.

Senate Bill 503 (Chapter 248) makes technical amendments to the definitions in the Insurance Code and one important substantive change to include within the definition of "control" a situation resulting from licensing or franchise agreements.

The Land Title Trust Fund Act, **Senate Bill 406 (Chapter 118)**, is discussed in the **Property Law** section.

MOTOR VEHICLES

The legislature considered more than 60 bills during the session that dealt with motor vehicles. Thirteen of those bills were eventually signed into law.

Two bills concerning the relationship between motor vehicle manufacturers, distributors or representatives and motor vehicle dealers passed. **House Bill 47 (Chapter 31)** establishes a "relevant market area" for motor vehicle dealers, requires the use of uniform standards of consent for the sale, transfer or assignment of dealer franchises, amends the use of incentives, prohibits unreasonable capitalization requirements and prohibits the forced sale or relocation of a franchise.

House Bill 570 (Chapter 14) limits the period of time a manufacturer or distributor has to audit certain claims submitted by motor vehicle dealers. The bill provides that warranty claims may be audited only within the 12-month period following payment or credit for the claim and that sales and service incentive claims may be audited only within the 24-month period following payment or credit for the claim. These limitations do not apply if there is reasonable suspicion of fraud.

House Bill 649 (Chapter 151) makes it a petty misdemeanor for any person to operate on any street or highway a motor vehicle with improper sun screening material on its windshield or windows. The bill was motivated by driving safety considerations and was supported by police departments because of the risk police officers face when

approaching vehicles with windows so dark that officers cannot see inside the vehicle. The bill does not apply to motor vehicles that have glazing that complies with federal standards, nor does it apply to rear windows on truck tractors, to recreational vehicles, to multipurpose passenger vehicles or to motor homes. Violations are punishable by a \$75.00 fine.

Two bills dealing with solid waste collection vehicles were signed into law. **House Bill 927 (Chapter 227)** limits the amount by which a three-axle solid waste collection vehicle can exceed its axle weight limits, upon issuance of a special permit by the motor transportation division, to 10 percent of its authorized maximum vehicle weight. This limit will be in effect from July 1, 1997 through June 30, 2000.

Senate Bill 173 (Chapter 94) helps define the type of distribution of loads that front-end loading solid waste collection vehicles can carry while on a road or highway.

In addition to these bills, several other bills dealing with motor vehicles were signed by the governor. These include:

House Bill 197 (Chapter 47), which removes the requirement that bicycle riders use bicycle pathways adjacent to roadways;

House Bill 813 (Chapter 158), which allows a veteran who has received a purple heart decoration to receive purple heart registration plates for two vehicles rather than one;

House Bill 828 (Chapter 26), which allows a 30-day grace period after a driver's birth date for the expiration of restricted driver's licenses; and

Senate Bill 674 (Chapter 204), which allows municipalities, counties and fee agents to receive a \$3.00 distribution from the motor vehicle suspense fund for each motor vehicle or motorboat registration or title transaction performed.

For a discussion of House Bills 86 and 88 dealing with DWI, see **Crimes and Law Enforcement**. For a discussion of **Senate Bill 37 (Chapter 247)**, the brain injury services fund, see **Health**.

PROFESSIONAL, OCCUPATIONAL & BUSINESS LICENSES

The professional and occupational boards and commissions were quite active this year as they sought changes to licensing requirements, scopes of practice, fee increases and other matters.

House Bill 84 (Chapter 131) made numerous changes to the Pharmacy Act, most of them to clean up or modernize old provisions and to bring the New Mexico act in line with current national practice. The act covers pharmacists, pharmacist interns and pharmacy technicians; pharmacies, clinics, hospitals and custodial care facilities; and drug distributors and manufacturers. One thrust of the new law is to ensure consumer confidence in the practice of pharmacy and in licensed pharmacists. The act specifies the responsibilities of pharmacy owners and employee pharmacists; sets forth additional reasons the board can deny, withhold, suspend or revoke a license; and increases some penalties.

Several health-related professions were granted prescriptive authority and designated as primary care providers. **House Bill 320 (Chapter 253)** gave those powers to nurse-midwives; **House Bill 939 (Chapter 244)** included clinical nurse specialists in the advanced practice nursing authorization for those purposes; and **Senate Bill 272 (Chapter 240)** gave those powers to doctors of oriental medicine (acupuncturists).

In addition to the changes mentioned above, **Chapter 244** amends the Nurse Practice Act to define the scope of practice for clinical nurse specialists. The chapter also creates regional advisory committees in place of the former diversion evaluation advisory committees and changes their membership and duties; revises various administrative matters and services related to the practice of nursing; and extends the medication aide program.

Chapter 240 also clarifies the practice of oriental medicine and makes other changes, including expanding the board's authority to deny, suspend or revoke a license and providing that the licensee shall bear the cost of disciplinary proceedings unless exonerated.

House Bill 788 (Chapter 187) made several changes to the Physician Assistant Act and the osteopathic physician assistant statutes, including biennial licensure instead of annual registration or certificates of qualification. The bill also provides a means for the physician assistant or osteopathic physician assistant to elect to place his license on

inactive status and increases the licensure and renewal fees and the fee for registration of supervising physicians. The new law also establishes a physician assistant advisory committee to review and make recommendations on all matters affecting physician assistants.

House Bill 1103 (Chapter 89) repeals the old Physical Therapist Act and replaces it with the Physical Therapy Act. As such, it is a typical licensing act. The bill creates the physical therapy board and provides its powers and duties; it defines the practice of physical therapy; and it provides for the licensure of physical therapists and physical therapist assistants.

The Nursing Home Administrators Act was amended by **Senate Bill 1059 (Chapter 267)**. The bill changes the composition of the board and qualifications for membership. The bill also requires a criminal records check for all applicants for licensure.

In the midst of all the health-related licensing changes, there were two other acts amended, the Public Accountancy Act and the Barber and Cosmetologists Act.

Senate Bill 692 (Chapter 207) amended the Public Accountancy Act to make two changes: (1) it clarifies that limited liability companies or other of business entities qualify as firms under the act; and (2) it requires the board to establish by rule a peer review program in which every registered firm would undergo peer review at least once every three years. It requires firms that contract to perform state agency audits to comply with federal or state peer review standards applicable to those audits.

The Barbers and Cosmetologists Act was amended significantly in **Senate Bill 943 (Chapter 218)**. The major changes include: (1) providing for licensure instead of certification for manicurist-pedicurists, estheticians and electrologists; (2) defining and licensing enterprises; (3) requiring the board to establish minimum guidelines for schools to use when calculating tuition refunds; (4) requiring schools to post corporate surety bonds to indemnify students for fees and tuition if a school ceases operation or terminates a program before a student finishes; (5) repealing the tuition recovery fund; and (6) increasing fees.

House Bill 145 (Chapter 46) was the legislative finance committee's sunset extension measure. The following boards and commissions were reviewed by the committee and extended:

<i>BOARD</i>	<i>SUNSET</i>	<i>REPEAL</i>
Construction Industries Commission, CID, Trade Bureaus	2005	2006
Board of Optometry	2003	2004
Board of Nursing	2003	2004
Chiropractic Board	2003	2004
New Mexico Board of Dental Health Care	2003	2004
New Mexico Board of Medical Examiners	2003	2004
Nutrition and Dietetics Practice Board	2005	2006
Board of Podiatry	2003	2004
New Mexico State Board of Psychologist Examiners	2003	2004
Board of Osteopathic Medical Examiners	2003	2004
Board of Pharmacy	2003	2004
Physical Therapists' Licensing Board	2005	2006
Board of Examiners for Occupational Therapy	2005	2006
Advisory Board of Respiratory Care Practitioners	2003	2004
Board of Nursing Home Administrators	2005	2006
Board of Veterinary Medicine	2005	2006
Speech Language Pathology, Audiology and Hearing Aid Dispensing Practices Board	2005	2006
Board of Landscape Architects	2005	2006
Board of Social Work Examiners	2005	2006

Under new provisions adopted in **House Bill 273 (Chapter 181)**, bureau chiefs of the constructions industries division are placed under the Personnel Act. Chapter 181 expands the definition of "contractor" so that "contractor" does not include a person who performs certain short-term depreciable improvements made to commercial property if the total amount paid for the work does not exceed \$5,000. Fee structures were also amended by Chapter 181 in relation to licenses for unlicensed contracted work, unlicensed contractors settling claims and candidate and applicant examination and

licensing services fees. The sunseting of the construction industries division and commission and its trade bureaus is extended to the year 2005 by Chapter 181 as well as Chapter 46.

House Bill 278 (Ch 251) prohibits an individual who has been convicted of trafficking in controlled substances, criminal sexual penetration or related sexual offenses or child abuse from being employed by or receiving a license to operate a child care facility.

PROPERTY LAW

A recurring problem faced by the surveying profession is remedied by **House Bill 518 (Chapter 80)**. Under existing law, a "survey plat" may not be filed with the office of the county clerk unless it has been approved by the land use authority having platting and subdivision regulation jurisdiction. Therefore, even though the plat may have been prepared only to show existing parcels and does not involve "subdivision" of land, it must still be submitted for approval. In these circumstances, the new law authorizes the filing of a boundary plat of survey with an appropriate certificate by the surveyor, and there is no requirement of any approval.

Matters pertaining to mobile home parks were addressed by **Senate Bill 904 (Chapter 39)** and **House Bill 608 (Chapter 186)**. The senate bill provided procedures for establishing and remedies for enforcing liens involving mobile homes and mobile home parks. The other measure, originating in the house, makes changes in the same law, the Mobile Home Park Act, to: clarify eviction and termination of tenancy provisions; require certain provisions to be included in rental agreements and disclosures of certain matters to be made to a prospective resident; require resident participation in developing rules and regulations; provide for alternative dispute resolution; and establish allocation of costs for utility services.

Senate Bill 406 (Chapter 118) enacts the Land Title Trust Fund Act. Under its provisions, title insurance companies may maintain pooled interest-bearing transaction accounts in banks that provide this type of accounts. Neither the title insurance companies nor the financial institutions are required to establish the account system. If they do, the interest earned on deposits goes into a trust fund managed by the mortgage finance authority. The act sets up an advisory committee to advise the mortgage finance authority on funding of project applications. Money from the trust fund may be used for low-income housing and other purposes.

A new uniform law was enacted by **Senate Bill 186 (Chapter 36)**, the Uniform Vendor and Purchaser Risk Act, which is discussed in the Uniform Law section.

PUBLIC FINANCE

A number of measures affecting investment of the permanent funds and the funds under the control of the state treasurer were enacted into law.

House Bill 143 (Chapter 183), House Bill 144 (Chapter 45) and House Bill 146 (Chapter 135) were introduced as a package to amend various statutes to carry out the provisions of Constitutional Amendment 1, approved by the voters in the November 1996 general election. That amendment removed some restrictions on investment of the permanent funds and changed the provisions for distributions from those funds. Chapter 183 provides for the new and expanded investments authorized for the land grant permanent fund, subject to the approval of the 1996 amendment by the United States congress, and Chapter 45 does the same for the severance tax permanent fund. Chapter 135 amends state investment council statutes to provide for investment management of the funds and authorizes budgeting and appropriation of money from the permanent funds for administering and investing the funds.

House Bill 205 (Chapter 70) and Senate Bill 971 (Chapter 220) also make changes regarding investment of the severance tax permanent fund. Chapter 70 increases the amount of the severance tax permanent fund that may be invested in a New Mexico venture capital fund and changes the requirements for a New Mexico venture capital fund to qualify for such investment. Chapter 220 permits deposit of the severance tax permanent fund in branch banks.

Senate Bill 223 (Chapter 111), the Short-Term Cash Management Act, authorizes the state treasurer to issue tax and revenue anticipation notes, with maturities of less than one year, for the purpose of regulating cash flow in the general fund. The notes will be secured by anticipated revenues in the general fund. The services of investment bankers for any negotiated sale must be secured through a competitive proposal process.

House Bill 12 (Chapter 128) authorizes the state treasurer, subject to state board of finance approval, to invest in certain commercial paper and corporate securities with investment-grade ratings and mutual funds or bank or trust company trust funds that invest in United States fixed income securities or debt instruments that are authorized investments for the state treasurer.

Two identical measures, **House Bill 751 (Chapter 226) and Senate Bill 926 (Chapter 216)**, remove the requirement that a county secure the approval of the municipality for any industrial revenue bond project within 15 miles of that municipality. Chapters 216 and 266 also require Albuquerque and Bernalillo county to give notice to each other prior to adopting an ordinance issuing industrial revenue bonds and to provide

opportunity for the other government to comment. No approval is required by the other government, but both governments are required jointly to develop criteria for issuance of industrial revenue bonds by either government.

House Bill 1176 (Chapter 166) enacts the legislature's annual list of capital projects authorized to receive loans from the public project revolving fund, administered by the New Mexico finance authority.

PUBLIC OFFICERS AND EMPLOYEES

There were quite a few bills passed this year that affect public officers and employees. Some of those are discussed in other categories, such as **Insurance, Professional, Occupational and Business Licensure and State Agencies**.

House Bill 358 (Chapter 74), the Health Care Purchasing Act, directs the combined purchasing of health insurance plans for employees or retirees covered by the risk management division, the retiree health care authority, the public school insurance authority and Albuquerque public schools. The act is designed to leverage the public health plans' purchasing power and realize significant cost savings. Beginning with the requests for proposals issued in 1999 and the contracts that start in 2000, the consolidated purchasing for these publicly funded health insurance plans is expected to yield, based on a national consulting firm's estimates, annual savings to the state of approximately \$13 million. Chapter 74 consolidates purchasing functions without consolidating agencies, which was the sticking point when a similar bill for consolidation was introduced in 1995.

Substantive and technical changes were made to the Public Employees Retirement Act, the Judicial Retirement Act and the Magistrate Retirement Act by **House Bill 875 (Chapter 189)**. The section of law dealing with survivor pensions is amended so that the benefit formula for pensions paid to certain designated survivors of a member who dies before normal retirement is more manageable. The formula that determines the amount of pension is adjusted and requirements for membership and conditions for survivor beneficiaries receiving the pension are clarified. In other changes, the retirement board and the association procedures and guidelines governing inspection or disclosure of member and retiree files are expounded upon. The executive director of the retirement board is given the authority, along with the secretary of finance and administration, to issue pension checks. The investment authority of PERA is expanded in Chapter 189 to enhance PERA's flexibility in investing in international markets and mutual funds. In terms of military service credit, Chapter 189 modifies provisions in all three retirement acts to create consistency with the federal act in conforming to minimum requirements.

The Peace Officers' Survivors Supplemental Benefits Act was amended by **House Bill 1010** to include conservation officers of the department of game and fish in the definition of peace officer. The bill was signed into law as **Chapter 165**.

The public employees salary bill, **House Bill 1392 (Chapter 175)**, is discussed in the **Appropriations and Revenue** section.

STATE AGENCIES

The Procurement Code, the bible of government purchasing, was heavily amended this year through the passage of several bills.

House Bill 45 (Chapter 69) increases the dollar limit from \$5,000 to \$10,000 for small purchase procurement for services, construction or items of tangible personal property. Chapter 69 also eliminates the provision for small purchase procurement by state educational institutions, two-year post-secondary institutions and school districts.

House Bill 120 (Chapter 222) shortens the amount of time within which payment must be made to a contractor after certification by the central purchasing office from 60 to 30 days and provides for late charges to be imposed against a state agency or local public body for violation of those provisions. The new law also provides that a letter of exception can be written by the central purchasing office or a state agency that finds that services were objectionable or items were defective, as long as this is done within 30 days of receipt of written notice for payment from the contractor. **Senate Public Affairs Committee Substitute for Senate Bill 109 (Chapter 104)** is almost identical to House Bill 120 in that time in which payments must be made for services, construction and items of tangible personal property purchased under the Procurement Code is shortened to 30 days. Also contained in both bills is an amendment to the Ground Water Protection Act to correspond with those changes. Chapter 104, however, contains certain amendments that Chapter 222 does not, including defining when the payment to the contractor is deemed tendered. Under the provisions of the Uniform Statute and Rules of Construction Act, if statutes are not irreconcilable, they should be construed so that effect is given to each.

House Bill 1317 (Chapter 171) amends sections of the Procurement Code to allow for construction management services contracts or construction or public works projects when determined to be in the public interest by a state agency or local public body. With the exception of road and highway construction or reconstruction projects of the state highway and transportation department or any local public body, a design and build project delivery system may be authorized as provided in Chapter 171. Criteria are set forth for the state purchasing or central purchasing office to use as a basis for considering

when to use the design and build process. Chapter 171 mandates that the secretary of general services, in conjunction with the appropriate professional associations and contractors, promulgate regulations to be followed by all using agencies when procuring a design and build project delivery system.

Senate Bill 122 (Chapter 3) assures that New Mexico businesses will be allowed to sell goods or provide services to New York state and local governments and quasi-governmental entities. Recent amendments to the New York state procurement statutes had the effect of prohibiting New Mexico businesses from doing so, and Chapter 3 serves to eliminate all differential treatment between the two states' businesses in terms of New Mexico procurement, thereby protecting the access of New Mexico businesses to the New York market. (Earlier versions of this bill that were passed and signed are House Bill 10 and Senate Bill 1, Chapters 1 and 2, respectively.)

Senate Bill 326 (Chapter 52) repeals the Resource Transportation and Passenger Transportation Development Act, which abolishes the state transportation authority and transfers that responsibility and bonding authority to the state highway commission of the state highway and transportation department. The authority to issue revenue bonds for transportation systems is given to the state highway commission, and the state highway and transportation department holds the power to acquire property for the purpose of construction and operation of a transportation system, including the power of eminent domain.

The Public Employee Bargaining Act is amended by **Senate Bill 841 (Chapter 212)** to include state educational institutions as specified in the constitution of New Mexico in the definition of public employer. This allows certain state institutions to create local boards for collective bargaining purposes.

Under the provisions of **Senate Bill 1014 (Chapter 263)**, the radio communications bureau of the communications division of the general services department may lease to a private entity excess capacity on its radio communications property. The conditions for leasing include that the lease conform with requirements of the Procurement Code, that it be for an equal value exchange of money or property and that the radio communications bureau submit to the legislative finance committee a detailed plan for the use of the excess capacity and an assessment of how the lease will affect public sector uses. Chapter 263 attempts to modernize the radio communications system by converting it from an analog to a digital system and by accepting state-of-the-art digital radio equipment in exchange for a commitment to allow the donor company to use excess capacity on the resulting digital radio system for commercial purposes.

House Bill 590 (Chapter 148) amends the Open Meetings Act to allow an individual to apply for enforcement of that act through the district court, provided that written notice is given to the public body first and that the public body has not responded within 15 days. In accordance with Chapter 148, the court shall also award costs and reasonable attorney fees to a person who succeeds in bringing a court action to enforce the provisions of the Open Meetings Act, and provides that a public body defendant who prevails in a court action be awarded attorney fees from the plaintiff if the action was brought without good grounds.

House Bill 774 (Chapter 137) transfers administration of the Soil and Water Conservation District Act to the New Mexico department of agriculture and abolishes the soil and water conservation bureau of the forestry division of the energy, minerals and natural resources department as of July 1, 1997.

House Bill 1207 (Chapter 91) creates the space commercialization division, formerly the office for space commercialization, within the economic development department. The spaceport commission's name is changed to the space commission and the membership amended to include the governor's science adviser, a representative of a federal space development project in the state and a representative of one of the state's laboratories. In general, Chapter 91 also allows for a broadening of the scope of space development-related projects in New Mexico.

The membership of the economic development commission is expanded from seven to nine members by **House Bill 1209 (Chapter 172)**, which also requires that one member represent the public at large. Appointments on the commission are made for five-year terms, rather than the existing seven-year terms.

Two other bills that relate to state agencies are discussed elsewhere in the Highlights. See the **Professional, Occupational and Business Licensure** section for **House Bill 273 (Chapter 181)** dealing with changes in the construction industries division; see **Utilities** for a discussion of the Public Regulation Commission Apportionment Act, **Senate Bill 1158 (Chapter 262)**.

House Bill 1268 (Chapter 178) authorizes the New Mexico finance authority to issue and sell in installments or at one time revenue bonds to renovate the state library building adjacent to the state capitol for legislative, executive and judicial use as well as for relocation-associated renovations in the capitol. Chapter 178 also allows the severance tax permanent fund to be invested in revenue bonds issued by the NMFA for this purpose, with approval of the state investment council. Transfer of money to the capitol buildings repair fund will now occur after payments to the NMFA required by

Chapter 178. A capitol buildings planning commission is created to study and plan for long-range facilities needs of state government in Santa Fe. Direct appropriations from legislative council service cash balances and the general fund are made for the renovation and for the legislative council service to coordinate with the general services department to provide staff support and planning expertise to the commission.

Senate Finance Committee Substitute for Senate Bill 1129 (Chapter 125) authorizes the New Mexico finance authority to issue revenue bonds, payable from certain taxation and revenue department administrative fees, to finance the taxation and revenue information management systems project (TRIMS).

TAXATION

This was a year when many more pressing issues crowded out taxation as an area of major legislative attention. However, some important pieces of tax legislation passed.

Property Taxation

Perhaps the greatest number of tax bills that passed were related to the property tax. The most important of these, **House Joint Resolution 19**, which would authorize the legislature to limit residential property valuation increases, is covered in the **Constitutional Amendments** section.

House Bill 1112 (Chapter 162) makes it easier for property owners to establish that land is entitled to the lower property tax valuation given to land used primarily for agricultural purposes, and creates a presumption of continued entitlement to that valuation if the use of the land does not change.

Other property tax measures enacted into law include **Senate Bill 604 (Chapter 196)**, which expands the eligibility and rebate amount for the existing local option low-income property tax rebate, and **Senate Bill 395 (Chapter 117)**, which provides yet another optional local property tax rebate that counties may impose to provide tax relief for low-income property taxpayers.

House Bill 38 (Chapter 68) sets up deadlines and procedures for construction contractors to report personal property for property tax valuation purposes. Modeled after requirements for livestock reporting, the bill is intended to make sure construction contractors who are temporarily in the state pay their property taxes the same as resident contractors. **Senate Bill 885 (Chapter 124)** requires recording of property tax delinquency lists for real property and allows counties to retain responsibility for collection of delinquent personal property taxes.

Finally, in the property tax area, **House Bill 1304 (Chapter 193)** enacts the Education Technology Equipment Act. This very important measure implements Article 9, Section 11 of the constitution of New Mexico, which was approved by the voters at the 1996 general election. The act permits school districts to impose property taxes without going to the voters to pay for debt incurred through lease-purchase arrangements to acquire education technology equipment. The lease-purchase debt is subject to the constitutional limit on school district debt.

Fuel Taxes

House Bill 694 (Chapter 24) adds certain water-phased hydrocarbon fuel emulsions to the definition of alternative fuel to qualify for reduced fuel excise tax rates under the Alternative Fuel Tax Act.

After no legislation was passed by the 1996 legislature to close the so-called fuel tax "loophole" that has resulted in increasing sales of tax-free gasoline by tribes and pueblos, the legislature this year passed **House Bill 1257 (Chapter 192)** to address the problem. This very technical measure revises definitions in the Gasoline Tax Act, the Special Fuel Suppliers Tax Act and the Petroleum Products Loading Fee Act to clarify the taxable event and the persons responsible for reporting and paying the taxes. In the case of gasoline, the definition of the taxable event of receiving gasoline allows "bona fide" Indian distributors to receive gasoline tax-free if the gasoline is delivered into tanks on tribal land for a distributor that is a tribal enterprise. All other fuel-tax avoidance schemes should be eliminated. Tax-free sales of special fuel, e.g., diesel, will not be allowed.

Income Taxes

In the personal income tax area, **House Bill 128 (Chapter 63)** amends New Mexico's estimated tax law, enacted last year, to conform more closely to the federal estimated tax law. The changes include provision for using a modified annualization method to determine the amount and timing of estimated tax payments on seasonal or erratic income and provides for annualized payments for farmers and ranchers. While the law still provides for installment payments of estimated tax, no underpayment penalty will be assessed or due as long as the required annual payment is made.

House Bill 14 (Chapter 60) amends the Corporate Income and Franchise Tax Act to provide a third option for paying estimated tax when the taxpayer has been allowed an extension and will be filing his return for the tax year at a later due date.

Intergovernmental Tax Credits

The legislature also addressed the dual taxation problem that occurs on tribal land when both the state and an Indian nation, tribe or pueblo imposes taxes on the same transaction or activity. Two new intergovernmental tax credits are enacted in **Senate Ways and Means Committee Substitute for Senate Bill 1211 (Chapter 58)** and **House Bill 141 (Chapter 64)**. Chapter 58 authorizes taxpayers to take a credit against the state's corporate income tax for up to half of tribal taxes paid on income derived from rather narrowly defined new business facilities on Indian land, thus reducing the taxpayer's tax burden when both the state and an Indian nation, tribe or pueblo impose taxes on the business. Chapter 64 authorizes a credit against gross receipts taxes for 75 percent of the pueblo tax imposed on businesses located on Santa Clara pueblo land outside municipal boundaries if the pueblo enters into a cooperative agreement with the taxation and revenue department to provide the credit.

Gross Receipts Tax and Business-Related Taxes

Many businesses will be pleased to hear that **House Bill 1201 (Chapter 72)** makes a small but very important change in the current requirement for a buyer to have a non-taxable transaction certificate (NTTC) in his possession in order for the seller to be entitled to a deduction from gross receipts. The bill allows a seller a 60-day grace period after an audit notice to obtain the non-taxable transaction certificate from the buyer.

Still other businesses will benefit from a two-year extension of the current provisions of the Investment Credit Act, **House Bill 49 (Chapter 62)**. More limited provisions regarding employment requirements and the amount of qualified equipment eligible for a credit, due to take effect January 1, 1998, will be delayed until January 1, 2000. The measure also limits the amount of credit that may be claimed by a taxpayer to not more than 85 percent of the sum of the taxpayer's gross receipts tax, compensating tax and withholding tax due for that reporting period.

House Bill 1300 (Chapter 73) broadens the application of the gross receipts tax deduction for space-related receipts by expanding the definition of spaceport and payload and providing a deduction for preparing a payload for launching in New Mexico. The deduction is given a delayed repeal date of June 30, 2001.

Finally, **House Bill 37 (Chapter 67)** makes various changes to the Tax Administration Act, the most important of which affect provisions governing tax liabilities of successors in business.

UNIFORM LAWS

House Bill 89 (Chapter 8) enacts the Uniform Certification of Questions of Law Act. The act permits a federal court or an appellate court of another jurisdiction to petition our state supreme court to decide a question regarding New Mexico law. Moreover, the appellate courts of New Mexico are authorized to forward a certified question of law to the appropriate court of another jurisdiction.

House Bill 90 (Chapter 9) revises the Uniform Interstate Family Support Act, which became law in New Mexico in 1995. The primary thrust of the amendments is to limit child and family support orders to a single state in an effort to eliminate interstate jurisdictional disputes.

House Bill 103 (Chapter 25) repeals the existing Uniform Unclaimed Property Act and enacts an updated act crafted by the uniform law commission. In general, the act establishes procedures and time frames for transferring abandoned personal property to the state.

House Bill 104 (Chapter 75) modernizes the provisions of Article 5 of the Uniform Commercial Code regarding letters of credit. The amendments rely heavily on industry standards of practice regarding the use of letters of credit.

House Bill 105 (Chapter 76) amends the Uniform Partnership Act. The amendments relate primarily to limited liability partnerships and the extent to which partners are liable for acts of the partnership. The bill also requires limited liability partnerships and foreign limited liability partnerships to file statements of qualifications and annual reports.

House Bill 1267 (Chapter 173) repeals existing laws regarding principles of statutory construction and enacts the Uniform Statute and Rule Construction Act. The act provides definitions for commonly used terms, offers guidelines for computing periods of time prescribed by a statute or rule and sets forth presumptive principles of statutory construction.

Senate Bill 186 (Chapter 36) enacts the Uniform Vendor and Purchaser Risk Act. The act provides statutory protection to purchasers of real property if the property is destroyed before closing and before the purchaser takes possession of the real property.

Senate Bill 618 (Chapter 199) enacts the Uniform Management of Institutional Funds Act. The act establishes an express standard of care for investment of endowment funds by institutions organized and operated exclusively for educational, religious or charitable purposes.

Amendments to the Uniform Health-Care Decisions Act, **House Bill 1202 (Chapter 168)**, are discussed in the **Health** section.

UTILITIES AND TELECOMMUNICATIONS

The electric power industry is on the threshold of dramatic changes in its structure, regulation, pricing and mix of fuels. The legislature has deliberated several proposals for restructuring the state's regulatory laws, but has postponed significant action until national and international trends become clearer. In the meantime, local conditions have drawn the attention of policymakers to the need for certain communities to directly provide utility service to their residents.

House Bill 1181 (Chapter 228) provides authority to Las Cruces and any other municipalities in a class A county with a population between 60,000 and 100,000 to condemn electric distribution facilities in order to assume ownership and operation of a local electric utility. The bill also exempts municipalities with a population of 25,000 or more from public utility commission oversight on the issuance of revenue bonds for electric system acquisition.

Senate Bill 1158 (Chapter 262) enacts the Public Regulation Commission Apportionment Act, establishes five districts from which public commissioners will be elected and creates the public regulation commission, which is composed of five members to be elected from each of the defined districts. Candidates must reside in the district for which they file and if they change residence to outside the district, they effectively resign. Members of the commission are elected for staggered four-year terms and the governor fills vacancies by appointment. Chapter 262 outlines the district boundaries by county and by county precincts.

Very little of significance involving telecommunications was signed into law this year, with the exception of the Telecommunications Services Theft Act, **House Bill 345 (Chapter 50)**. The act makes it unlawful for a person to obtain or attempt to obtain unauthorized telecommunications service, e.g., unauthorized accessing of cable television signals, unauthorized use of cellular phones or transmissions and unauthorized descrambling of satellite programming. The bill also makes it unlawful for any person to own with the intent to distribute, publish or advertise for sale or lease any device, kit or equipment that allows a person to receive unauthorized telecommunications services.

Finally, the bill repeals the portion of the statutes dealing with the theft of cable service and allows injunctive relief for persons damaged by the theft of telecommunications services.

WATER AND WATER RIGHTS

1995-1996 brought one of the severest droughts to the state in recent history. That drought seems to have been broken by the rains that came in June and August of 1996 and this spring's precipitation. However, historic climate records suggest that New Mexico and the southwest experience severe 10-year drought periods every 50 years or so. The last one occurred from the mid-1940s through the mid-1950s, suggesting that we are due for another. Last year's drought may have foreshadowed what we can expect in the near future. In response to the drought and population growth, the legislature was asked to consider a number of bills that address different aspects of water conservation and the state engineer's and interstate stream commission's abilities to cope with changes in water availability and use and enforcement authorities. The legislature also considered alternative funding mechanisms for drinking water infrastructure.

House Bill 36 (Chapter 66) amends Section 72-5-36 NMSA 1978 to require anyone constructing small dams or erosion control structures to comply with the state's water law requiring a permit to appropriate water for beneficial use. Stock tanks for ranch use are still exempted. The bill closes a loophole in the state water law created by two recent court of appeals decisions. If left unamended, people could have gotten around the law that requires application to the state engineer for appropriation of water.

House Bill 139 (Chapter 134) amends Sections 72-5-28 and 72-12-8 NMSA 1978. Those sections of the law require forfeiture of water rights in the event an owner fails to put those rights to beneficial use over a four-year period and thus allows reappropriation by someone else. House Bill 139 adds irrigation districts and acequia or community ditch associations to existing language that allows certain entities exemption from the forfeiture provisions for nonuse of water when the water rights are placed in a state engineer-approved water conservation program.

House Bill 496 (Chapter 79) amends Section 4-50-2 NMSA 1978 to permit county commissions to borrow from the New Mexico finance authority for flood control projects. **House Bill 1018 (Chapter 87)** increases the Albuquerque metropolitan arroyo flood control authority's maximum outstanding indebtedness without prior approval of the legislature from \$20 million to \$40 million.

House Bill 592 (Chapter 144) creates the drinking water state revolving loan fund with administrative authority shared by the department of environment and the New Mexico finance authority. The NMFA will establish the financial parameters of the loan fund. It is expected that this change in current financing of local water infrastructure will increase the total funding available for water systems by providing a match of federal funds with the NMFA's bonding authority.

House Bill 1308 (Chapter 246) and Senate Bill 1121 (Chapter 241) adds hydrographic surveys to the purposes for which the interstate stream commission may issue revenue bonds. The bills provide the interstate stream commission the ability to perform critical work required by the courts to comply with a consent decree resulting from a lawsuit between Texas and New Mexico over the Rio Grande Compact.

Senate Conservation Committee Substitute for Senate Bill 178 (Chapter 96) cleans up an 1860 territorial law that used arcane language requiring Indians to provide labor in the maintenance of acequias. The bill eliminates the offensive language and requires all acequia members to render the same services.

CONSTITUTIONAL AMENDMENTS

Proposed Constitutional Amendment 1 (House Joint Resolution 19) would amend Article 8, Section 1 of the constitution of New Mexico to provide an exception to the requirement that property taxes be in proportion to the value of the property. The amendment requires the legislature to provide by law for the limitation of annual increases in valuation of residential property. The limitation may be based on owner-occupancy of the property or the age or income of the taxpayer, and the limitation may be authorized statewide or on a local option basis.

Proposed Constitutional Amendment 2 (Senate Joint Resolution 5) would amend Article 6, Section 32 of the constitution of New Mexico to add two additional members to the judicial standards commission, which currently has nine members (two justices or judges, two lawyers and five citizen members). One of the additional members would be a magistrate judge and the other a citizen member.

Proposed Constitutional Amendment 3 (Senate Joint Resolution 12) would amend Article 10, Section 2 of the constitution of New Mexico to change the restriction that currently prohibits a county official who has been elected to two four-year terms from holding any public office for two years thereafter. The amendment would make the prohibition applicable only to the holding of any *county* office within two years.

APPENDIX

**APPENDIX
FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

DATA ON LEGISLATION

TOTAL LEGISLATION: *	HOUSE	SENATE	TOTAL
Bills	1408	1317	2725
Joint Resolutions	19	16	35
Joint Memorials	101	75	176
Memorials	28	15	43
Concurrent Resolutions	0	0	0
TOTAL:	1556	1423	2979

INTRODUCTIONS:**			
Bills	1350	1267	2617
Joint Resolutions	19	16	35
Joint Memorials	100	75	175
Memorials	28	15	43
Concurrent Resolutions	0	0	0
TOTAL:	1497	1373	2870

PASSAGE:			
Bills	206	164	370
Joint Resolutions	4	2	6
Joint Memorials	27	39	66
Memorials	21	10	31
Concurrent Resolutions	0	0	0
TOTAL:	258	215	473

PERCENTAGE OF INTRODUCTIONS PASSED:			
Bills	15.26%	12.94%	14.14%
Joint Resolutions	21.05%	12.50%	17.14%
Joint Memorials	27.00%	52.00%	37.71%
Memorials	75.00%	66.67%	72.09%
Concurrent Resolutions	N/A	N/A	N/A

TOTAL SIGNED BY GOVERNOR:	157	111	268
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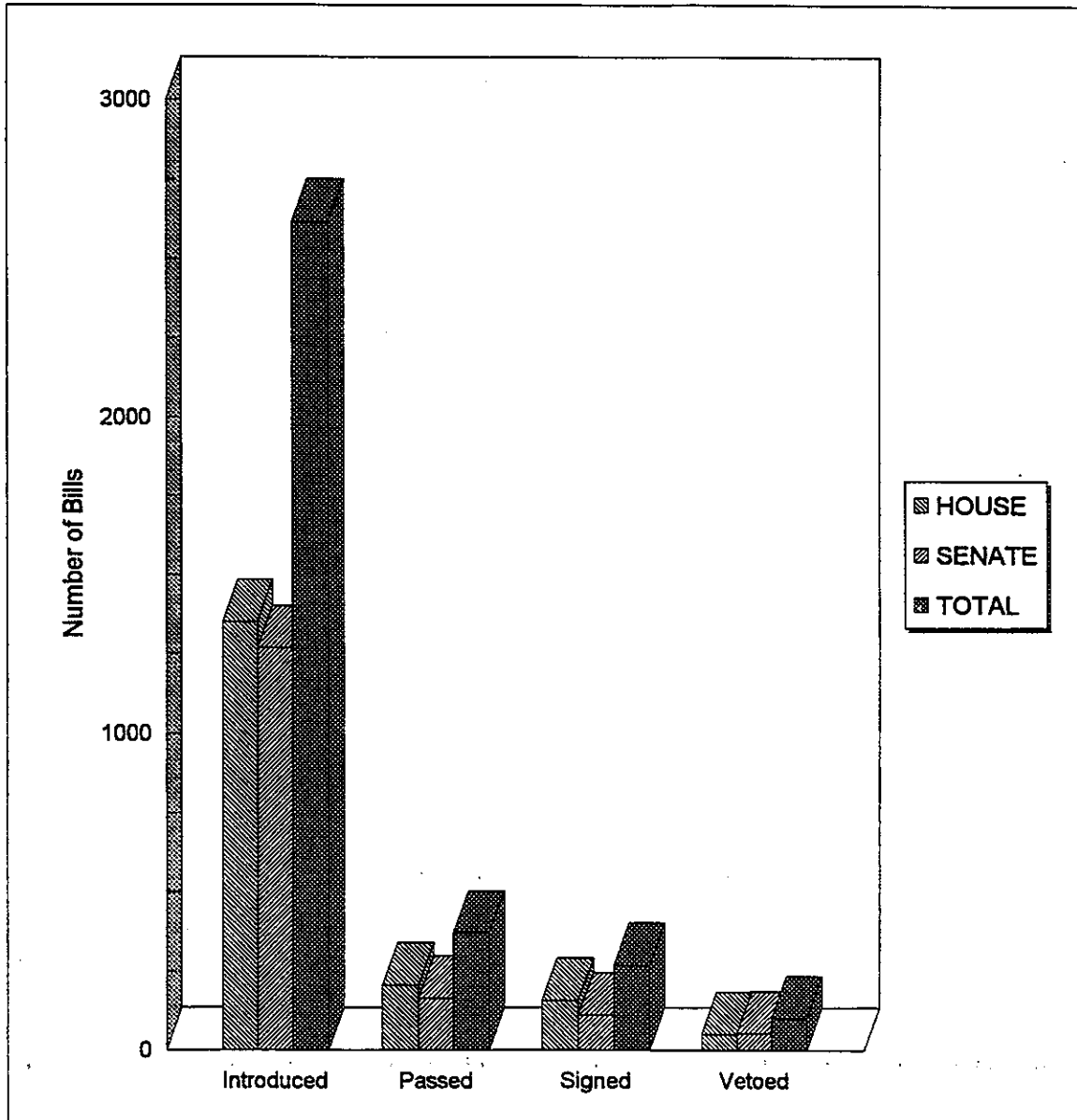
TOTAL VETOED BY GOVERNOR:	49	53	102
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* Includes substitutes

** Does not include substitutes

BILL ACTION SUMMARY

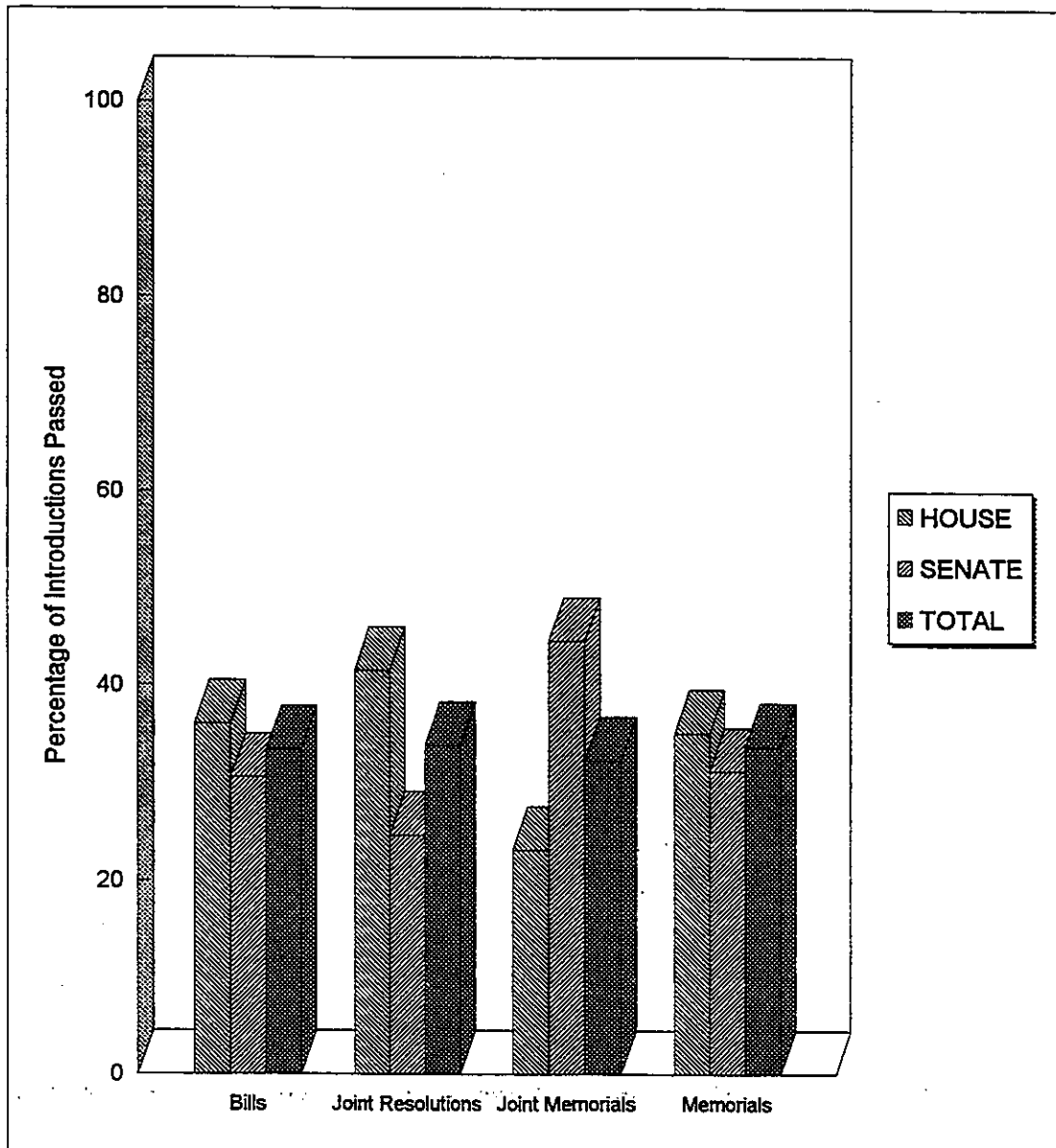
Regular Session, 1997



	Introduced	Passed	Signed	Vetoed
HOUSE	1350	206	157	49
SENATE	1267	164	111	53
TOTAL	2617	370	268	102

ALL INTRODUCED LEGISLATION

Percentage Passed, Regular Session, 1997



	Bills	Joint Resolutions	Joint Memorials	Memorials
HOUSE	15.26%	21.05%	27.00%	75.00%
SENATE	12.94%	12.50%	52.00%	66.67%
TOTAL	14.14%	17.14%	37.71%	72.09%

TABLE 1
SUMMARY OF GENERAL FUND APPROPRIATIONS
FORTY-THIRD LEGISLATURE
FIRST SESSION

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
GENERAL APPROPRIATION ACT OF 1997		
Operating Expenses		
A. Legislative		\$ 2,333,100
B. Judicial		90,072,200
C. General Control		118,110,900
D. Commerce and Industry		27,894,600
E. Agriculture, Energy & Natural Res.		50,911,200
F. Health, Hospitals & Human Svcs		643,865,700
G. Public Safety		182,943,100
H. State Highway & Transportation		0
I. Other Education		2,211,700
J. Higher Education		482,467,400
K. Public School Support		0
Total Appropriations for Operating Expenses		\$1,600,809,900
Total Special Appropriations	\$ 19,262,300	\$ 2,675,700
Total Supplemental Appropriations	\$ 67,193,900	
TOTAL GENERAL APPROPRIATION ACT - 1997	\$ 86,456,200	\$1,603,485,600
SPECIAL APPROPRIATION BILLS		
H 1 (Chapter 1)	\$ 5,889,257	\$ 7,674,941
H 133 (Chapter 133)		25,000
CS\ H 277 (Chapter 180)		1,742,777
H 512 (Chapter 71)		6,000,000
H 838 (Chapter 41)		895,200
CS\ H 1365 (Chapter 179)	547,000	
H 1392 (Chapter 175)		5,805,057
S 677 (Chapter 206)		100,000
S 1115 (Chapter 126)		400,000
TOTAL SPECIAL APPROPRIATION BILLS	\$ 6,436,257	\$ 22,642,975

TABLE 1
SUMMARY OF GENERAL FUND APPROPRIATIONS
FORTY-THIRD LEGISLATURE
FIRST SESSION

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
EDUCATION APPROPRIATION ACT		
Total Public School Support		\$1,358,075,500
Total Adult Basic Education Fund		4,700,000
Total State Department of Public Education		12,471,800
Total Special Appropriations		685,000
TOTAL EDUCATION APPROPRIATION ACT		\$1,375,932,300
ADJUSTMENTS		
State Investment Office-HB 146 (Chapter 135)*		\$ <752,100>
TOTAL ADJUSTMENTS		\$ <752,100>
GRAND TOTAL GENERAL FUND APPROP.	\$ 92,892,457	\$3,001,308,775

* HB 146 (Chapter 135) amends Subsection B of Section 6-8-5 NMSA 1978 to provide that the operating budget of the State Investment Office "shall be appropriated from the assets of the land grant permanent funds, the severance tax permanent funds, funds available for investment pursuant to Subsection G of Section 6-8-7 NMSA 1978 or any other fund managed by the investment office". An operating expense appropriation of \$752,100 was included in HB 2, and is subtracted here to reflect HB 146.

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
OPERATING EXPENSE		
LEGISLATIVE		
Legislative Maintenance Department	\$	2,298,100
Energy Council Dues		35,000
TOTAL LEGISLATIVE	\$	2,333,100
JUDICIAL		
Supreme Court Law Library	\$	924,400
Judicial Standards Commission		213,500
Court of Appeals		3,274,400
Supreme Court		1,698,400
Administrative Office of the Courts		13,821,900
Supreme Court Building Commission		513,200
Jury and Witness Fee Fund		2,104,400
Court-Appointed Attorney Fees Fund		1,900,000
1st Judicial District Court		2,413,300
2nd Judicial District Court		10,401,600
3rd Judicial District Court		2,052,000
4th Judicial District Court		801,100
5th Judicial District Court		3,259,500
6th Judicial District Court		996,800
7th Judicial District Court		1,007,800
8th Judicial District Court		934,100
9th Judicial District Court		1,243,800
10th Judicial District Court		459,200
11th Judicial District Court		1,930,500
12th Judicial District Court		1,246,800
13th Judicial District Court		1,860,800
Bernalillo County Metro Court		9,286,200
1st Judicial District Attorney		2,307,100
2nd Judicial District Attorney		9,193,200
3rd Judicial District Attorney		1,792,600
4th Judicial District Attorney		1,248,600
5th Judicial District Attorney		2,149,500

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year <u>(1996-1997)</u>	1998 Fiscal Year <u>(1997-1998)</u>
6th Judicial District Attorney		866,800
7th Judicial District Attorney		1,210,100
8th Judicial District Attorney		1,391,500
9th Judicial District Attorney		1,146,800
10th Judicial District Attorney		328,400
11th Judicial District Attorney - Farmington		1,513,400
12th Judicial District Attorney		1,384,600
13th Judicial District Attorney		1,775,500
Admin Office of the District Attorneys		511,000
11th Judicial District Attorney - Gallup		909,400
TOTAL JUDICIAL		\$ 90,072,200

GENERAL CONTROL

Attorney General	\$ 9,994,100
State Auditor	1,510,900
Taxation & Revenue Department	40,901,100
State Investment Council*	752,100
Dept of Finance & Administration	9,261,000
Special Approps/Dues & Mem Fees	7,431,500
General Services Department	14,737,100
Criminal/Juvenile Justice Coordinating Council	249,000
Public Defender Department	20,326,100
Governor	2,016,600
Office of Information and Commun Management	219,400
Lieutenant Governor	403,100
State Commission of Public Records	1,469,300
Secretary of State	2,096,600
Personnel Board	3,508,000
Public Employees Labor Relations Board	224,000
State Treasurer	3,011,000
TOTAL GENERAL CONTROL	\$ 118,110,900

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
COMMERCE AND INDUSTRY		
Border Authority	\$	180,100
Tourism Department		1,837,200
Economic Development Department		6,305,800
Regulation and Licensing Department		11,284,900
State Corporation Commission		6,691,700
Racing Commission		1,518,800
Apple Commission		41,900
Bicycle Racing Commission		34,200
TOTAL COMMERCE AND INDUSTRY	\$	27,894,600
AGRICULTURE, ENERGY & NATURAL RESOURCES		
Office of Cultural Affairs	\$	17,278,700
Livestock Board		415,600
Department of Game & Fish		341,600
Endangered Species Program		184,500
Energy, Minerals & Natural Resources		17,742,700
State Engineer/Interstate Stream Commission		11,636,600
Public Utility Commission		3,256,600
Organic Commodity Commission		54,900
TOTAL AG, ENERGY & NATURAL RES	\$	50,911,200
HEALTH & HUMAN SERVICES		
Commission on the Status of Women	\$	382,700
Commission for the Deaf and Hard-of-Hearing		333,800
Martin Luther King, Jr. Commission		163,900
Commission for the Blind		1,467,400
Office of Indian Affairs		1,271,000
State Agency on Aging		15,677,100
Human Services Department		312,997,200
Labor Department		1,985,700
Division of Vocational Rehabilitation		4,087,600

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
Gov Committee on the Concerns of the Handicapped		388,000
Developmental Disabilities Planning Council		296,600
Department of Health		184,991,500
Department of Environment		11,815,500
Office of the Natural Resources Trustee		149,200
Health Policy Commission		1,463,400
Veterans' Service Commission		1,398,000
Children, Youth and Families Department		104,997,100
TOTAL HEALTH & HUMAN SERVICES		\$ 643,865,700
 PUBLIC SAFETY		
Department of Military Affairs		\$ 3,011,600
Crime Stoppers Commission		122,800
Transportation & Extradition of Prisoners		175,000
Parole Board		562,200
Juvenile Parole Board		295,200
Corrections Department		132,020,400
Crime Victims Reparation Commission		1,513,600
Department of Public Safety		45,242,300
TOTAL PUBLIC SAFETY		\$ 182,943,100
 OTHER EDUCATION		
School for the Deaf		2,211,700
TOTAL OTHER EDUCATION		\$ 2,211,700
 HIGHER EDUCATION		
Commission on Higher Education		\$ 21,059,300
University of New Mexico		187,964,000
New Mexico State University		121,933,800
New Mexico Highlands University		17,792,800

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
Western New Mexico University		12,101,500
Eastern New Mexico University		28,627,000
New Mexico Institute of Mining & Technology		22,933,800
Northern New Mexico Community College		6,249,300
Santa Fe Community College		6,147,600
Albuquerque Technical-Vocational Institute		27,755,800
Luna Vocational Technical Institute		5,157,900
Mesa Technical College		1,906,600
New Mexico Junior College		5,690,600
San Juan College		8,167,800
Clovis Community College		6,958,700
New Mexico Military Institute		2,020,900
TOTAL HIGHER EDUCATION		\$ 482,467,400
TOTAL OPERATING EXPENSES		1,600,809,900
SPECIAL APPROPRIATIONS		
Commission on Public Records		\$ 135,000
Office of Cultural Affairs		
Farm and Ranch Heritage Museum	\$ 500,000	
Internet Access for Libraries	150,000	
Energy, Minerals and Natural Resources Department		
Pre-Fire Season Start-up Costs	100,000	
Pre-Fire Season Start-up Costs FY98	35,100	
Inmate Work Camp	1,590,600	
Commissioner of Public Lands	832,800	
State Engineer		600,000
Department of Environment		
Ambrosia Lake Clean-up		315,000
South Valley Well Replacement	116,400	
CYFD-Joseph A. Consent Decree, Camp Sierra Blanca	7,284,800	
Corrections Department		
Lease Beds to Relieve Interim Overcrowding	2,700,000	
Contingent Approp from GF Operating Reserve	1,700,000	
New Mexico State University	250,000	
Computer Systems Enhancement Fund	5,628,300	
TOTAL SPECIAL APPROPRIATIONS	\$ 19,262,300	\$2,675,700

TABLE 2
GENERAL APPROPRIATION ACT OF 1997
CS/H 2, 4, 6 AND 9 (Chapter 33)
GENERAL FUND

	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS		
Jury and Witness Fee Fund	\$ 1,300,000	
Department of Finance and Administration	572,100	
Criminal and Juvenile Justice Coordinating Council	25,000	
Secretary of State	150,000	
Energy, Minerals and Natural Resources Department	303,200	
Human Services Department (FY96/97)	51,738,700	
Children, Youth and Families Department	4,114,700	
Department of Military Affairs	130,000	
Corrections Department	8,860,200	
TOTAL SUPP. & DEF. APPROPRIATIONS	\$67,193,900	
GRAND TOTAL GEN. APPROP ACT OF 1997	<u>\$86,456,200</u>	<u>\$1,603,485,600</u>

* HB 146 (Chapter 135) amends Subsection B of Section 6-8-5 NMSA 1978 to provide that the operating budget of the State Investment Office "shall be appropriated from the assets of the land grant permanent funds, the severance tax permanent funds, funds available for investment pursuant to Subsection G of Section 6-8-7 NMSA 1978 or any other fund managed by the investment office". As such, while the appropriation for the State Investment Office has been included in the figures for House Bill 2, \$752,100 has been subtracted from the total General Fund appropriations in Table 4 to reflect HB 146.

TABLE 3
EDUCATION APPROPRIATION ACT OF 1997
SB 100 (Chapter 32)
GENERAL FUND

	1998 FISCAL YEAR (1997 - 1998)
PUBLIC SCHOOL SUPPORT	
State Equalization Guarantee Distribution	\$ 1,239,390,300
Transportation Distributions	
Operations	\$ 69,508,300
School-owned Bus Replacements	2,457,000
Contractor-owned Bus Rent Fees	11,073,200
Subtotal Transportation	\$ 83,038,500
Supplemental Distributions	
Out-of-State Tuition	\$ 390,000
Emergency	1,436,000
Emergency Capital Outlay	300,000
Subtotal Supplemental	\$ 2,126,000
Instructional Material Fund	\$ 28,620,700
Education Technology Fund	\$ 4,400,000
Incentives for School Improvement Fund	\$ 500,000
TOTAL PUBLIC SCHOOL SUPPORT	\$ 1,358,075,500
ADULT BASIC EDUCATION FUND	\$ 4,700,000
STATE DEPARTMENT OF PUBLIC EDUCATION	
Administration	\$ 7,957,800
Special Projects	\$ 3,914,000
Apprenticeship Assistance	\$ 600,000
TOTAL STATE DEPT OF PUBLIC EDUCATION	\$ 12,471,800

TABLE 3
EDUCATION APPROPRIATION ACT OF 1997
SB 100 (Chapter 32)
GENERAL FUND

	1998 FISCAL YEAR (1997 - 1998)
SPECIAL APPROPRIATIONS	
State Department of Public Education	
Accountability Data System	\$ 375,000
Educator Background Check	60,000
School-to-work	100,000
Subtotal State Department of Public Education	<u>\$ 535,000</u>
Commission on Higher Education	
Advanced Placement	\$ 150,000
SUBTOTAL SPECIAL APPROPRIATIONS	<u>\$ 685,000</u>
TOTAL EDUCATION APPROPRIATION ACT OF 1997	<u>\$ 1,375,932,300</u>

TABLE 4
GENERAL FUND
SPECIAL APPROPRIATIONS

Bill Number (Chapter No.)	Purpose (Fund or Agency)	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
*H 1 (CH. 4)	43rd Legislature, First Session 1997 Legislature	\$ 5,889,257	
	Feed Bill - Legislative Council Service (Legislative Council Service)		3,529,700
	Feed Bill - Interim Preparation (Legislative Council Service)		352,300
	Feed Bill - Legislative Intern Program (Legislative Council Service)		25,000
	Feed Bill - Legislative Education Study Cmte (Legislative Education Study Committee)		687,817
	Feed Bill - Legislative Finance Committee (Legislative Finance Committee)		2,509,300
	Feed Bill - Senate Rules Cmte Interim Expense (Legislative Council Service)		21,600
	Feed Bill - House Chief Clerk's Office (Legislative Council Service)		276,769
	Feed Bill - Senate Chief Clerk's Office (Legislative Council Service)		272,455
	BILL TOTAL:	\$5,889,257	\$7,674,941
H 133 (Chapter 133)	Water System Improvements - Desert Aire (Department of Environment)		\$25,000
CS\ H277 (Chapter 180)	Additional Judge - 1st Judicial Dist.		\$297,577
	Two Additional Judges - 2nd Judicial Dist.		490,900
	District Attorney's Office - 2nd Judicial Dist.		388,300
	Public Defender Department		566,000
	BILL TOTAL		\$1,742,777

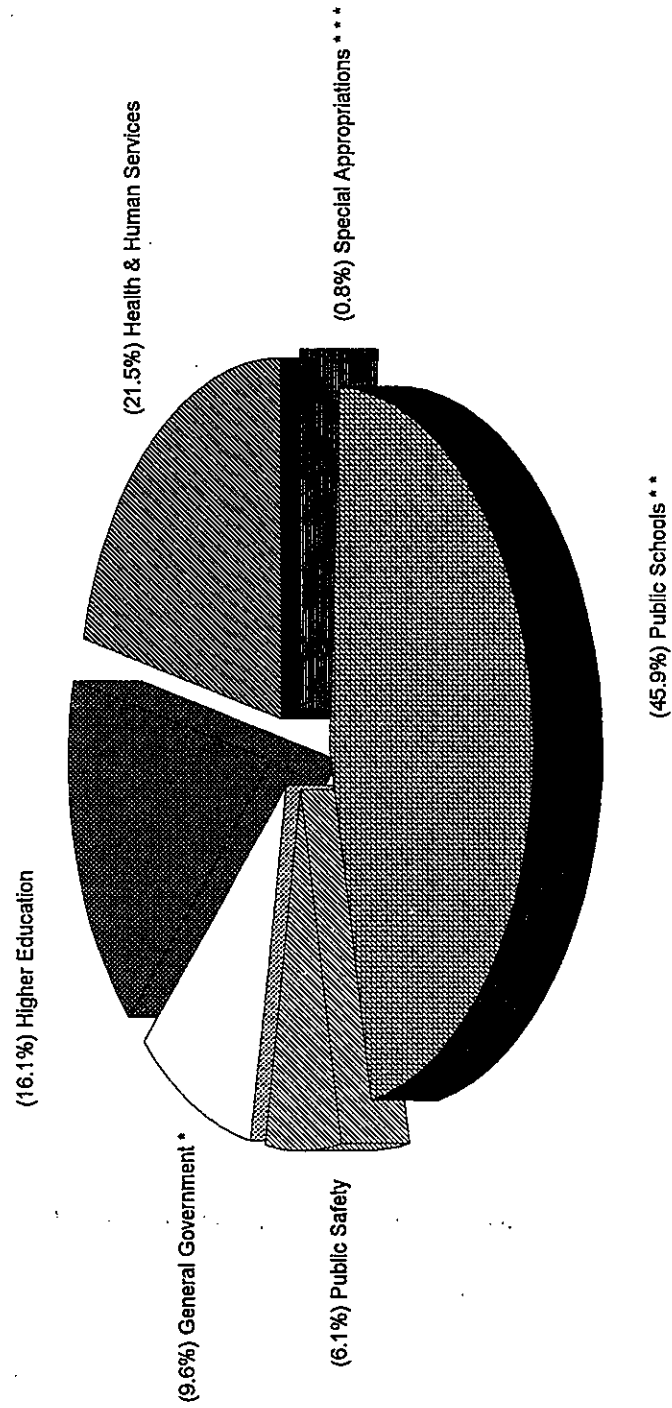
TABLE 4
GENERAL FUND
SPECIAL APPROPRIATIONS

Bill Number (Chapter No.)	Purpose (Fund or Agency)	1997 Fiscal Year (1996-1997)	1998 Fiscal Year (1997-1998)
*H 512 (Chapter 71)	In-Plant Development Training Program (Development Training Fund)		\$6,000,000
H 838 (Chapter 41)	Interim Committee Expenses (Legislative Council Service)		\$895,200
*CS\ H 1365 (Chapter 179)	3rd Cong. Dist. Election - County Expenses (Secretary of State)	\$547,000	
H 1392 (Chapter 175)	Salary Increase - Classified Empl.		\$4,477,300
	Salary Increase - State Police		246,915
	Salary Increase - District Atty Perm. Empl.		425,295
	Salary Increase - Judicial Perm. Empl.		519,247
	Salary Increase - Legislative Perm. Empl.		136,300
BILL TOTAL			\$5,805,057
S 677 (Chapter 206)	Study and Costs - Prepaid College Tuition Program (Commission on Higher Education)		\$100,000
S 1115 (Chapter 126)	WICHE Student Exchange Program (UNM Board of Regents)		\$400,000
TOTAL GENERAL FUND SPECIAL APPROPS		<u>\$6,436,257</u>	<u>\$22,642,975</u>

* Emergency Clause

GENERAL FUND APPROPRIATIONS

Fiscal Year 1998



(45.9%) Public Schools **

* Includes Legislative, Commerce & Industry, Ag, Energy and Natural Resources, Judicial and General Control (Less \$752,100 to reflect HB 146).

** Includes "Other Education" from HB 2 and the Education Appropriation Act.

*** Includes "Special Appropriations" from HB 2, HB 1 and all other appropriation bills.

Total General Fund Appropriations - FY 98
\$3,001,308,775

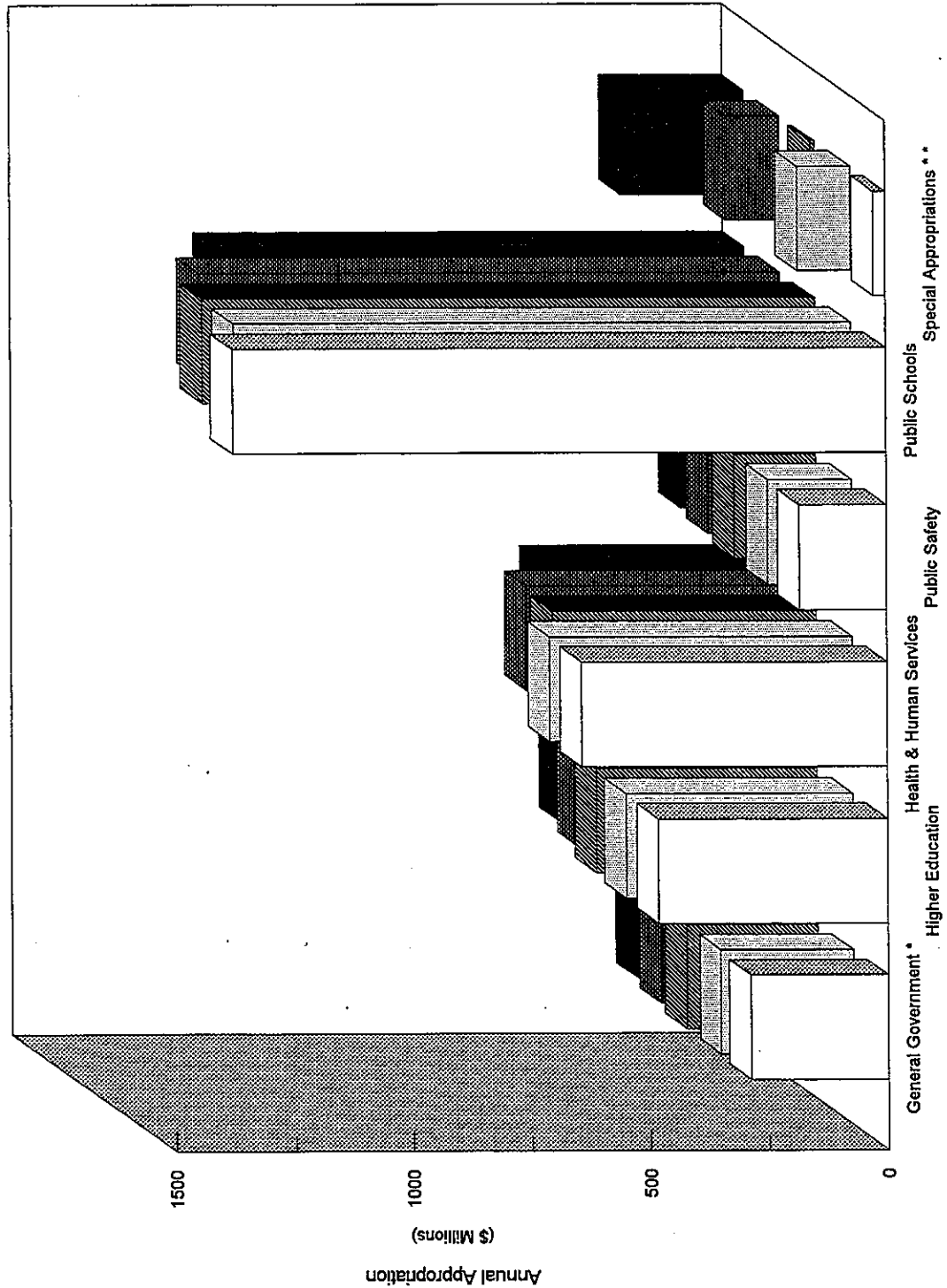
GENERAL FUND APPROPRIATIONS

Fiscal Years 1994 - 1998

* Includes
Legislative, Commerce
& Industry, Ag, Energy
& Natural Resources,
Judicial and General
Control Appropriations.

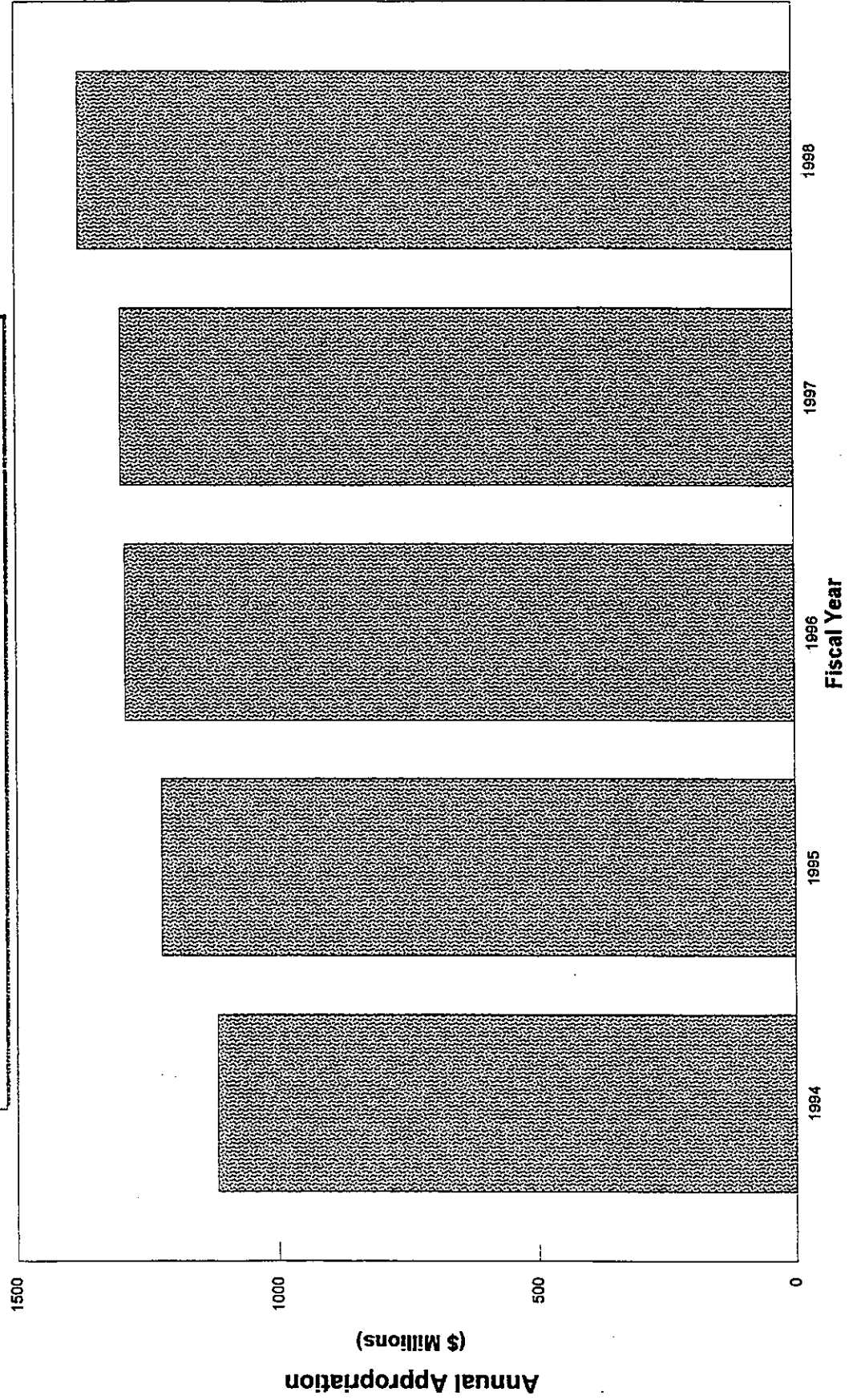
□ Fiscal Year 1998
▨ Fiscal Year 1997
▩ Fiscal Year 1996
▧ Fiscal Year 1995
■ Fiscal Year 1994

** 1995 figures include
a \$42.8 M "HB 2
Junior" appropriation.
1994 figures include a
\$147.7 M "HB 2 Junior"
and a \$47.1 M GF
Capital Outlay
appropriation.



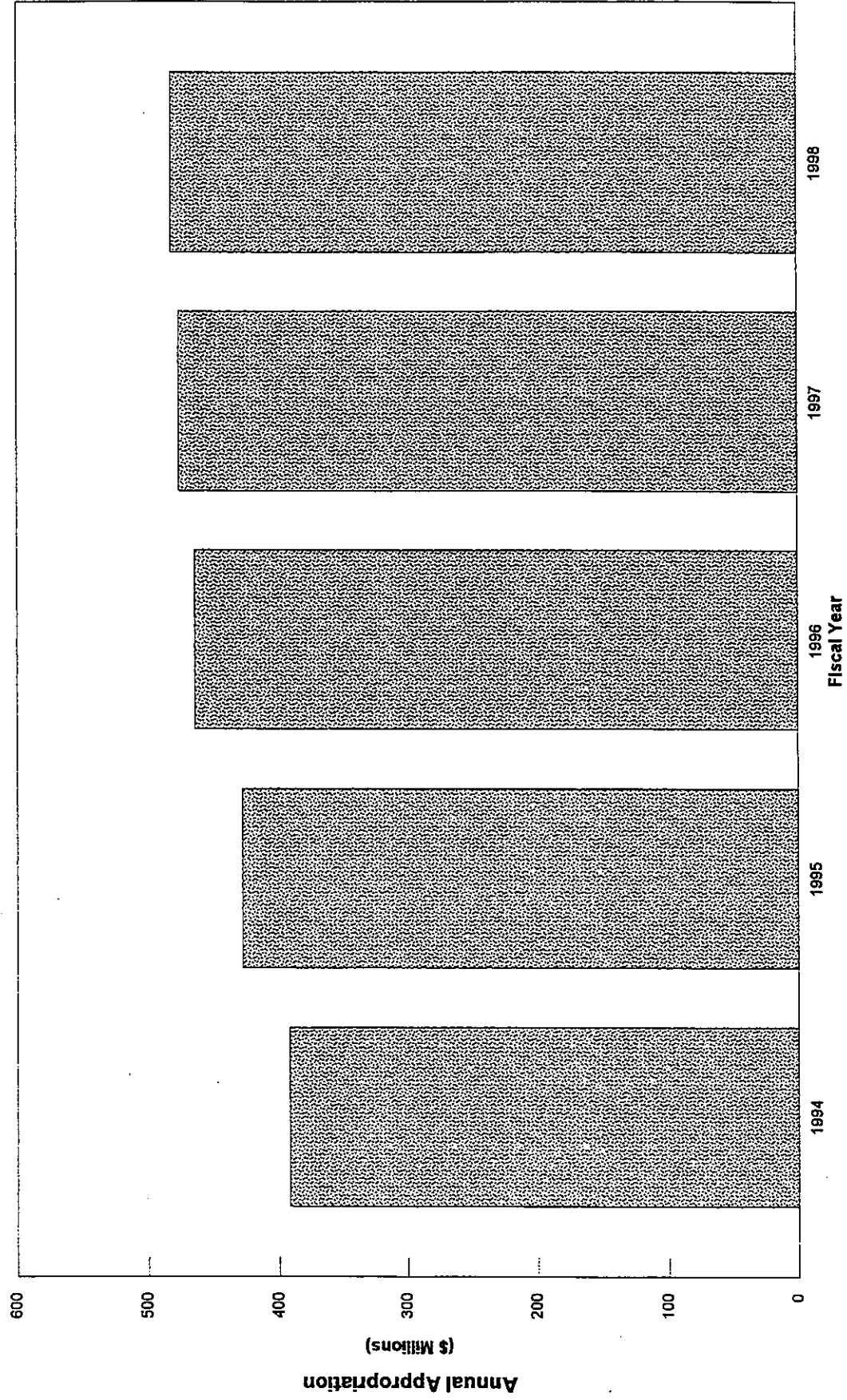
PUBLIC SCHOOLS APPROPRIATIONS

General Fund - Fiscal Years 1994 through 1998



HIGHER EDUCATION APPROPRIATIONS

General Fund - Fiscal Years 1994 through 1998



LEGISLATIVE COUNCIL SERVICE
CONCORDANCE

05/08/97

Chapter	Date Signed	Bill No.	Short Title/Sponsor
1	Jan.24	*H 10	NEW YORK BUSINESSES PROCUREMENT, Sanchez
2	Jan.24	*S 1	NEW YORK BUSINESSES PROCUREMENT, Jennings
3	Jan.29	*S 122	NEW YORK PROCUREMENT PREFERENCE, Jennings
4 (pv)	Jan.30	*H 1	FEED BILL, Olguin
5	Mar.10	H 74	"EMERGENCY" DEFINITION, Knowles
6	Mar.10	*H 155	CHAMISAL FIRE STATION, Salazar
7	Mar.15	H 571	HEALTH INSURANCE FOR DIABETICS, Sandoval
8	Mar.17	H 89	UNIFORM QUESTIONS OF LAW ACT, Pederson
9	Mar.17	H 90	AMEND FAMILY SUPPORT ACT, Pederson
10	Mar.17	H 211	STALKING ACT, Sanchez
11	Mar.17	H 310	COMMUNITY CORRECTIONS PARTICIPATION, Stewart
12	Mar.17	H 405	PRE-ELECTION REPORTING, Rodella
13	Mar.17	*H 526	JACKSON MIDDLE SCHOOL, Stewart
14	Mar.17	H 570	MOTOR VEHICLE DEALERS AUDIT, Sandoval
15	Mar.17	H 974	DISQUALIFIED CANDIDATE DECISION, Rodella
16	Mar.17	H 1172	LAND GRANT ELECTIONS, Salazar
17	Mar.18	*S 195	SALE & USE OF FIREWORKS, Sanchez
18	Mar.18	H 76	AMEND BEEF COUNCIL, McSherry
19	Mar.18	H 641	OPEN MEETINGS & PUBLIC SCHOOLS ACTIVITIES, Sanchez
20	Mar.18	H 1048	EXTEND COUNTY HOSPITAL EMERGENCY GR TAX, Ryan
21	Mar.19	H 40	REPEAL INTERSTATE GRAIN COMPACT, McSherry
22	Mar.19	H 359	ADJUSTED COMMUNITY RATING, Olguin
23	Mar.19	H 529	AMEND BANK ACTS, Ryan
24	Mar.19	H 694	ALTERNATIVE FUEL DEFINITION, Lujan
25	Mar.19	H 103	UNIFORM UNCLAIMED PROPERTY ACT, Foy
26	Mar.19	H 828	DRIVER'S LICENSE RENEWAL GRACE PERIOD, King
27	Mar.19	CS/H 1370	EXTEND HEALTH INSURANCE ALLIANCE, Olguin
28	Mar.19	S 328	REPEAL GAS SALES INFO, Altamirano
29	Mar.19	*S 409	HISPANIC CULTURAL CENTER, Aragon
30	Mar.19	S 810	PIPELINES ONE-CALL SYSTEM, Fidel
31	Mar.19	H 47	MOTOR VEHICLE DEALER FRANCHISES, Ryan
32 (pv)	Mar.19	*S 100	EDUCATION APPROPRIATION ACT, Nava
33 (pv)	Mar.19	CS/H 2	GENERAL APPROPRIATION ACT OF 1997
		et al	
34	Mar.20	CS/H 717	ABUSE & NEGLECT ACT HEARINGS
35	Mar.20	S 895	EDWARD J. LOPEZ LAND OFFICE BUILDING, Maloof
36	Mar.21	S 186	UNIFORM VENDOR & PURCHASER RISK ACT, Jennings
37	Mar.21	S 280	COUNTY ORDINANCES EFFECTIVE DATE, Stockard
38	Mar.21	*CS/CS/S 446	VOLUNTARY REMEDIATION ACT
39	Mar.21	S 904	MOBILE HOME & PARKS LIENS, Macias
40	Mar.21	CS/H 215	FUNDING FORMULA PROGRAM UNITS
41	Mar.21	H 838	INTERIM LEGISLATIVE EXPENSE, Knowles
42	Mar.21	H 736	AMEND PUBLIC BUILDING EFFICIENCY ACT, Sanchez
43	Apr.8	H 86	DWI PRIOR CONVICTIONS, Miera
44	Apr.8	H 947	CONTRABAND IN JUVENILE FACILITY, Dana
45	Apr.8	*H 144	SEVERANCE TAX FUND INVESTMENT, Coll
46	Apr.8	H 145	LICENSING BOARDS EXTENSIONS, Wallace
47	Apr.8	H 197	BICYCLE PATHS USE, Miera
48	Apr.8	H 238	LENDING INSTITUTIONS AUTHORITY, Ryan
49	Apr.8	H 340	PURE HONEY DEFINITION, McSherry
50	Apr.8	H 345	TELECOMMUNICATIONS SERVICE THEFT ACT, Lujan
51	Apr.8	H 355	AMEND INDIGENT HEALTH CARE ACT, Olguin
52	Apr.8	S 326	HIGHWAY COMMISSION POWERS, Altamirano
53	Apr.8	S 372	MAGISTRATE COURT CONTROL, Macias
54	Apr.8	S 772	EXPAND LOCAL HOSPITAL GROSS RECEIPTS, Ingle
55	Apr.8	*S 814	LIQUOR LICENSE TRANSFERS, Griego
56	Apr.8	S 882	CHILD SUPPORT PROVISIONS, Sanchez
57	Apr.8	S 891	AMEND COTTON BOLL WEEVIL ACT, McSorley
58	Apr.8	CS/S 1211	INTERGOVERNMENTAL TAX CREDIT
59	Apr.8	H 389	DOMESTIC VIOLENCE PROTECTION ORDERS COST, Beam
60	Apr.8	H 14	AMEND CORPORATE INCOME TAX, Varela
61	Apr.8	H 33	COAL SURTAX EXEMPTION, Rodella
62	Apr.8	H 49	INVESTMENT CREDIT ACT EXTENSION, Lujan
63	Apr.8	*H 128	ESTIMATED TAX PAYMENTS, Sandel
64	Apr.8	H 141	SANTA CLARA PUEBLO AGREEMENT, Lujan
65	Apr.8	H 32	INTRASTATE TELEPHONE SERVICES, Rodella
66	Apr.8	H 36	DAM REGULATION, Parsons
67	Apr.8	H 37	AMEND TAX ADMINISTRATION ACT, Parsons
68	Apr.8	H 38	HIGHWAY CONTRACTORS PROPERTY, Parsons
69	Apr.8	H 45	STATE AGENCY SMALL PURCHASES, Hobbs

LEGISLATIVE COUNCIL SERVICE
CONCORDANCE

05/08/97

Chapter	Date Signed	Bill No.	Short Title/Sponsor
70	Apr. 8	H 205	SEVERANCE TAX FUND INVESTMENT, Salazar
71	Apr. 8	*H 512	AMEND DEVELOPMENT TRAINING, Sanchez
72	Apr. 8	H 1201	NTTC GRACE PERIOD, Varela
73	Apr. 8	H 1300	SPACE-RELATED RECEIPTS DEDUCTION, Porter
74	Apr. 8	H 358	HEALTH CARE PURCHASING ACT, Picraux
75	Apr. 8	H 104	LETTERS OF CREDIT, Knowles
76	Apr. 8	H 105	LIMITED LIABILITY PARTNERSHIPS, Knowles
77	Apr. 8	H 464	GUADALUPE-HIDALGO TREATY DAY, Salazar
78	Apr. 8	CS/H 468	GAME MEAT PRODUCTS
79	Apr. 8	H 496	FLOOD CONTROL LOAN FROM NMFA, McSherry
80	Apr. 8	H 516	BOUNDARY SURVEY PLAT, Salazar
81	Apr. 8	*H 538	ACEQUIA DE LA CIENEGA, STBR, King
82	Apr. 8	H 559	WATER QUALITY CONTROL COMMISSION, Stell
83	Apr. 8	H 802	REPEAL PRODUCER'S LIEN ACT, McSherry
84	Apr. 8	H 856	ORIENTAL MEDICINE INSURANCE, Miera
85	Apr. 8	H 864	PRECINCT BOUNDARIES ADJUSTMENT, Williams, S.M.
86	Apr. 8	H 929	GOOD SAMARITAN LAW, Kissner
87	Apr. 8	H 1018	INCREASE AMAFCA DEBT AUTHORITY, Taylor, J.G.
88	Apr. 8	CS/H 1095	AMEND MINING ACT
89	Apr. 8	H 1103	PHYSICAL THERAPY ACT, King
90	Apr. 8	*CS/H 1192	EXPAND NMFA POWERS
91	Apr. 8	H 1207	SPACE COMMERCIALIZATION DIVISION, Parsons
92	Apr. 8	*H 1391	AMEND RAILROAD CAR COMPANY TAX ACT, Sandel
93	Apr. 8	S 36	REMOVE DEAD CANDIDATE'S NAME FROM BALLOT, Rodarte
94	Apr. 8	S 173	VEHICLE LOAD LIMITS, Eisenstadt
95	Apr. 8	*S 177	PERSONAL PROPERTY ALLOWANCE, McSorley
96	Apr. 8	CS/S 178	ACEQUIA RIGHTS
97	Apr. 8	S 204	REPEAL PRANUT ACT, Ingle
98	Apr. 8	S 267	MANAGED CARE FRAUD, Sanchez
99	Apr. 8	S 271	SHEEP & GOAT ACT, Jennings
100	Apr. 9	S 8	INSTRUCTIONAL MATERIAL FUNDS, Howes
101	Apr. 9	S 29	SENIOR CITIZEN BINGO, Kidd
102	Apr. 9	S 81	RESIDENT STUDENT STATUS, Robinson
103	Apr. 9	S 120	ERA SERVICE CREDIT PURCHASE, Romero
104	Apr. 9	CS/S 109	PAYMENT FOR GOVERNMENT PURCHASES
105	Apr. 9	CS/S 114	DNA IDENTIFICATION ACT
106	Apr. 9	S 168	LOTTERY TUITION FUND DISTRIBUTION, Sanchez
107	Apr. 9	CS/S 189	PROVIDER SERVICE NETWORK ACT
108	Apr. 9	S 190	LIMIT PAYMENTS FOR MEDICAL REVIEW COMM., Jennings
109	Apr. 9	S 191	LIMIT USE OF PATIENT'S COMPENSATION FUND, Jennings
110	Apr. 9	S 200	CYF CORRECTIONS OFFICERS QUALIFICATIONS, Vernon
111	Apr. 9	*S 223	SHORT-TERM CASH MANAGEMENT ACT, Fidel
112	Apr. 9	S 229	GOVERNMENTAL ETHICS, Fidel
113	Apr. 9	S 350	HOSPITAL LICENSURE, Kysar
114	Apr. 9	S 371	RETIRED MAGISTRATES, Ingle
115	Apr. 9	S 505	COMMUNITY COLLEGE CAMPUS POLICE, Leavell
116	Apr. 9	S 518	INDIGENT BURIAL COST, Jennings
117	Apr. 9	CS/S 395	INCREASE PROPERTY TAX REBATE
118	Apr. 9	*S 406	LAND TITLE TRUST FUND ACT, Aragon
119	Apr. 9	*S 430	HUNTING GUIDES, OUTFITTERS & LICENSES, Sanchez
120	Apr. 9	S 492	DEMONSTRATION SERVICES EXEMPTION, McSorley
121	Apr. 9	S 504	AMEND INSURANCE CODE RULES & NOTICE, Fidel
122	Apr. 9	S 746	DISARMING A LAW OFFICER, Stockard
123	Apr. 9	S 865	T-VI DISTRICTS FUNDS, Robinson
124	Apr. 9	S 885	COLLECTION OF DELINQUENT PROPERTY TAXES, Rodriguez
125	Apr. 9	*CS/S 1129	TAX & REVENUE DATA SYSTEM, NMFA
126	Apr. 9	S 1115	AMEND WICHE PROGRAM, Altamirano
127	Apr. 9	S 1235	HIGHER ED ADMISSION REQUIREMENTS, Rodriguez
128	Apr. 9	H 12	STATE TREASURER INVESTMENTS, Varela
129	Apr. 9	H 13	HOSPITAL FACILITY REVENUES, Varela
130	Apr. 9	H 75	PROPERTY TAX PROTESTS, Gubbels
131	Apr. 9	H 84	AMEND PHARMACY ACT, King
132	Apr. 9	H 101	ADULT PROTECTIVE SERVICES, Taylor, J.P.
133	Apr. 9	H 133	DESERT AIRE WATER SYSTEM, Wright
134	Apr. 9	H 139	WATER CONSERVATION PROGRAM, Lujan
135	Apr. 9	*H 146	INVESTMENT OF PUBLIC MONEY, Coll
136	Apr. 9	H 287	SCHOOL NURSE REQUIREMENT, Roberts
137	Apr. 9	H 774	AMEND SOIL & WATER CONSERVATION DISTRICTS, Stell
138	Apr. 9	H 224	PROPERTY TAX FOR SCHOOL IMPROVEMENTS, Gubbels
139	Apr. 9	H 308	LIQUID WASTE SYSTEMS PERMITS, King

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140	Apr. 9	H 311	VIOLENT SEX OFFENSE PENALTY, Stewart
141	Apr. 9	CS/H 346	DOMESTIC ABUSE INSURANCE PROTECTION ACT
142	Apr. 9	H 411	ZONING & USE ELECTION, McSherry
143	Apr. 9	H 498	WINE EXCISE TAX, McSherry
144	Apr. 9	H 592	DRINKING WATER LOAN FUND, King
145	Apr. 9	H 227	STATE PARKS & RECREATION AREAS, Wallace
146	Apr. 9	*H 330	ALTERNATIVE PREMIUM PAYMENT PLANS, Corley
147	Apr. 9	H 497	SHEEP & GOAT ACT, McSherry
148	Apr. 9	H 590	OPEN MEETINGS ACT ENFORCEMENT, King
149	Apr. 9	H 209	PARK & RECREATION AREAS CRIMES, McSherry
150	Apr. 9	H 623	FIREFIGHTERS RETIREMENT, Townsend
151	Apr. 9	H 649	MOTOR VEHICLE SUN SCREENING, Crook
152	Apr. 9	H 719	ORPHAN HAZARDOUS MATERIALS, Dana
153	Apr. 9	H 765	MENTAL RETARDATION HEARING, King
154	Apr. 9	H 600	LEGISLATIVE PER DIEM & MILEAGE, Knowles
155	Apr. 9	H 636	REPEAL EMERGENCY FIRE SUPPRESSION FUND, Weeks
156	Apr. 9	H 658	AMEND SECURITIES ACT, Ryan
157	Apr. 9	H 720	TIME LIMIT FOR FELONY PROSECUTION, Dana
158	Apr. 9	H 813	PURPLE HEART REGISTRATION PLATES, Luna
159	Apr. 9	H 912	COUNTY VALUATION PROTESTS BOARDS, Sandoval
160	Apr. 9	H 954	TRUST COMPANY BRANCH OFFICES, Nicely
161	Apr. 9	H 989	DISPOSITION OF MUNICIPAL PUBLIC MONEY, Mallory
162	Apr. 9	H 1112	AGRICULTURAL LAND VALUATION, Sanchez
163	Apr. 9	H 935	CHILD ABUSE DEFINITION, Stewart
164	Apr. 9	H 980	EUBANK ELEMENTARY PROJECT, Stewart
165	Apr. 9	H 1010	CONSERVATION OFFICERS AS PEACE OFFICERS, Alwin
166	Apr. 9	*H 1176	PUBLIC PROJECT REVOLVING FUND LOANS, Lujan
167	Apr. 9	CS/H 1132	HIGHER EDUCATION INSTITUTIONS
168	Apr. 9	H 1202	RIGHT TO HEALTH CARE DECISIONS, Kissner
169	Apr. 9	H 1208	PROPRIETARY INFO CONFIDENTIALITY, Parsons
170	Apr. 9	*H 1277	DRINKING WATER LOAN FUND, King
171	Apr. 9	H 1317	PUBLIC WORKS PURCHASING, Lujan
172	Apr. 9	H 1209	ECONOMIC DEVELOPMENT COMMISSION, Parsons
173	Apr. 9	H 1267	UNIFORM STATUTORY CONSTRUCTION, Ryan
174	Apr. 9	*H 1289	LIVE NEW MEXICO BOXING CONTESTS, Nicely
175	Apr. 9	H 1392	PUBLIC EMPLOYEE SALARIES, Knowles
176	Apr. 9	CS/CS/H 1342	EMERGENCY PEST CONTROL, Stell
177 (pv)	Apr. 10	*S 404	STATUARY HALL COMMISSION, Aragon
178 (pv)	Apr. 10	H 1268	CAPITAL BUILDINGS PLANNING & FUNDING, Lujan
179 (pv)	Apr. 10	*CS/H 1365	3RD DISTRICT SPECIAL ELECTION, Sanchez
180 (pv)	Apr. 10	CS/H 277	ADDITIONAL 2ND DISTRICT COURT PERSONNEL
		et al	
181 (pv)	Apr. 10	H 273	AMEND CONSTRUCTION INDUSTRY REGULATION, Lujan
182 (pv)	Apr. 10	H 108	DWI GRANT FUND, Miera
183	Apr. 10	*H 143	LAND GRANT FUNDS INVESTMENT, Coll
184	Apr. 10	*H 396	CLAIMS FUND ACCOUNT, Corley
185	Apr. 10	H 544	AMEND UNIVERSITY RESEARCH PARK ACT, Sandel
186	Apr. 10	H 608	AMEND MOBILE HOME PARK ACT, Stewart
187	Apr. 10	H 788	PHYSICIAN & OSTEOPATHS ASSISTANTS, Salazar
188	Apr. 10	H 840	LEGISLATIVE AUTOMATION, Knowles
189	Apr. 10	H 875	PUBLIC RETIREMENT ACTS, Varela
190	Apr. 10	4CS/H 399	GOVERNOR'S GAMING ACT
191	Apr. 10	*H 1000	HIGHWAY TRANSPORTATION AGREEMENT, Silva
192	Apr. 10	*H 1257	AMEND FUEL TAXES, Sandel
193	Apr. 10	*H 1304	EDUCATION TECHNOLOGY EQUIPMENT ACT, Picraux
194	Apr. 10	S 382	ADJUST COMPULSORY SCHOOL ATTENDANCE, Nava
195	Apr. 10	S 594	AMEND CREDIT UNION ACT, Robinson
196	Apr. 10	S 604	LOCAL OPTION PROPERTY TAX REBATE, Griego
197	Apr. 10	CS/S 605	TRADEMARK ACT
198	Apr. 10	CS/S 613	FINGERPRINTS OF STATE BAR APPLICANTS
199	Apr. 10	S 618	INSTITUTIONAL FUNDS ACT, Kidd
200	Apr. 10	*S 628	MINERS COLFAX MEDICAL CENTER, Lyons
201	Apr. 10	S 643	ABSENTEE BALLOT APPLICATIONS, Rawson
202	Apr. 10	*CS/S 651	LONG-TERM CARE PROVIDERS
203	Apr. 10	S 673	INCRRASE DWI LAB FEE, Stockard
204	Apr. 10	S 674	MOTORBOAT REGISTRATIONS, Stockard
205	Apr. 10	S 675	MANDATORY DWI SCREENING PROGRAM, Stockard
206	Apr. 10	S 677	PREPAID TUITION STUDY, Kidd
207	Apr. 10	S 692	AMEND PUBLIC ACCOUNTANCY ACT, Jennings
208	Apr. 10	CS/S 774	CRIMES AGAINST WITNESSES

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209	Apr.10	S 784	VOTER REGISTRATION INFORMATION, Tsosie
210	Apr.10	S 812	OUTSTANDING COURT FINES & FEES, Jennings
211	Apr.10	S 815	REVISE SKI SAFETY ACT, Sanchez
212	Apr.10	S 841	PUBLIC EMPLOYEE BARGAINING, Aragon
213	Apr.10	S 915	POLICE OFFICER DEFINITION, Rawson
214	Apr.10	S 917	HEALTH TESTS REPORTING, Jennings
215	Apr.10	S 920	CONTRIBUTIONS TO DRUG ABUSE PROGRAM, Griego
216	Apr.10	S 926	COUNTY INDUSTRIAL REVENUE BONDS, Aragon
217	Apr.10	S 978	INTERMEDIATE CARE FACILITIES, Jennings
218	Apr.10	S 943	BARBERS & COSMETOLOGISTS ACT AMENDMENTS, Vernon
219	Apr.10	S 947	AMEND SUPPLEMENTAL MUNICIPAL GR TAX, Campos
220	Apr.10	S 971	SEVERANCE TAX PERMANENT FUND DEPOSITS, Maes
221	Apr.10	S 653	AMEND MEDICAL PRACTICE ACT, Jennings
222	Apr.11	H 120	PAYMENT FOR GOVERNMENT PURCHASES, Picraux
223	Apr.11	H 131	LIQUOR LICENSE DISTANCE REQUIREMENTS, Rios
224	Apr.11	H 249	GAME & FISH PENALTIES, Stewart
225	Apr.11	*H 495	LEGISLATIVE SCHOLARSHIP FUND INVESTMENT, Knowles
226	Apr.11	H 751	COUNTY INDUSTRIAL REVENUE BONDS, Taylor, J.G.
227	Apr.11	H 927	AXLE WEIGHT LIMITS, Silva
228	Apr.11	*H 1181	ELECTRIC FACILITY CONDEMNATION, Taylor, J.P.
229	Apr.11	*CS/S 132	OFF-PREMISES TASTING ROOMS
230	Apr.11	S 198	AMEND PRIMARY CARE CAPITAL FUNDING, Garcia
231	Apr.11	S 467	ORPHAN HAZARDOUS MATERIALS, Payne
232	Apr.11	S 501	SCHOOL FOR VISUALLY HANDICAPPED REGENTS, Nava
233	Apr.11	S 632	SCHOOL BUS ADVERTISEMENTS, Maloof
234	Apr.11	S 688	SIGN LANGUAGE AS ELECTIVE, Rodriguez
235	Apr.11	S 809	EXEMPT WEATHERIZATION PROJECTS, Fidel
236	Apr.11	S 1155	INCENTIVES FOR SCHOOL IMPROVEMENT, Nava
237	Apr.11	*HCS/S 1162	CHILD SUPPORT ENFORCEMENT
238	Apr.11	CS/S 106	PUBLIC SCHOOL EMPLOYEES
239	Apr.11	S 111	EXTRACURRICULAR ACTIVITIES, Nava
240	Apr.11	S 272	ORIENTAL MEDICINE LICENSURE, Sanchez
241	Apr.11	S 1121	HYDROGRAPHIC SURVEYS BONDS, Macias
242	Apr.11	H 88	DWI OFFENDERS FINGERPRINTING, Pederson
243	Apr.11	*H 832	HEALTH INSURANCE PORTABILITY ACT, Olguin
244	Apr.11	H 939	AMEND NURSING PRACTICE ACT, Picraux
245	Apr.11	H 1128	EXTRACURRICULAR ACTIVITIES, Chavez
246	Apr.11	H 1308	HYDROGRAPHIC SURVEYS BONDS, Johnson
247	Apr.11	S 37	BRAIN INJURY SERVICES FUND, Feldman
248	Apr.11	S 503	AMEND INSURANCE CODE DEFINITION, Fidel
249	Apr.11	S 964	MINIMUM HOSPITAL STAY COVERAGE, Feldman
250	Apr.11	H 979	IMMUNIZATIONS COVERAGE REQUIRED, Wallace
251	Apr.11	H 278	CHILD CARE FACILITIES EMPLOYEES, Saavedra
252	Apr.11	H 290	SCHOOL BOARD CANDIDATE REQUIREMENT, Rodella
253	Apr.11	H 320	NURSE-MIDWIVES AUTHORITY, Wright
254	Apr.11	*H 820	AMEND MEDICAL CARE SAVINGS ACCOUNT ACT, Johnson
255	Apr.11	S 682	INSURANCE COVERAGE FOR DIABETICS, Altamirano
256	Apr.11	CS/S 220	HARM REDUCTION ACT
257	Apr.11	S 1237	AMEND LONG-TERM CARE OMBUDSMAN ACT, Sanchez
258	Apr.11	H 107	RELIGIOUS INSTRUCTION EXCUSAL, Sandel
259	Apr.11	H 563	EDUCATION TRUST ACT, Sanchez
260	Apr.11	S 4	PEACE OFFICER DESIGNATION, Jennings
261	Apr.11	CS/S 997	PUBLIC SCHOOL ACCOUNTABILITY
262	Apr.11	S 1158	PRC APPORTIONMENT ACT, Sanchez
263	Apr.11	*S 1014	LEASE COMMUNICATIONS NETWORK, Tsosie
264	Apr.11	S 1166	MAMMOGRAMS FOR MEDICAID RECIPIENTS, Wilson
265	Apr.11	CS/S 1264	CHURCH CELEBRATIONS, Robinson
266	Apr.11	S 1022	AMEND MUNICIPAL ELECTION CODE, Campos
267	Apr.11	S 1059	BOARD OF NURSING HOME ADMINISTRATORS, Griego
268	Apr.11	S 1150	CRIME VICTIMS REPARATION, Aragon

Constitutional Amendments

C.A.	1	HJR	19	LIMIT VALUATION INCREASES, CA, Lujan
C.A.	2	SJR	5	JUDICIAL STANDARDS COMMISSION, CA, Campos
C.A.	3	SJR	12	COUNTY OFFICIALS, CA, Macias

Vetced Bills

H	17	DRIVE-UP WINDOW SALES LOCAL OPTION, Hobbs
H	82	CHILD FATALITY REVIEW TEAM, Miera
H	154	ALCOHOL FRANCHISE AGREEMENTS, Ryan
CS/H	222	WORK FORCE EDUCATION ACT
H	225	SCHOOL DISTRICT G.O. BONDS, Gubbels
H	291	EDUCATION EMPLOYEES GROUP INSURANCE, Lujan
H	309	AMEND INVESTMENT CREDIT ACT, Porter
*H	338	JUVENILE CORRECTIONS, Stewart
H	349	DA EMPLOYEES GRIEVANCE BOARD, Varela
CS/H	350	PATIENT PROTECTION ACT
CS/H	351	MEDICAID MANAGED CARE ACT
H	352	REPEAL MEDICAID MANAGED CARE, Abeyta
H	353	REGIONAL MEDICAID MANAGED CARE, Picraux
H	354	MEDICAL ASSISTANCE REQUIREMENT, Sandoval
H	364	HEALTH SERVICES REGULATIONS HEARINGS, Taylor, J.P.
*H	365	PRIMARY CARE CAPITAL FUND, Sandoval
H	366	HEALTH CARE TASK FORCE, Sandoval
H	370	ADDITIONAL SIERRA MAGISTRATE, Ryan
H	371	JAIL FOR FINES, Heaton
H	381	JAIL STANDARDS, Miera
CS/H	395	GENETIC INFO PRIVACY ACT
H	403	MAGISTRATE COURT MEDIATION, Pederson
*H	568	INMATE POPULATION CONTROL, Pederson
H	572	LOCAL SCHOOL BOARD ELECTIONS, Alwin
H	625	ALCOHOL & MINORS PENALTIES, Chavez
H	718	KIDNAPPING DEFINITION, Stewart
*H	735	INDIAN BONDS INCOME TAX EXEMPTION, Madalena
*H	742	SPECIAL ED HIGH SCHOOL DIPLOMAS, Beam
*H	862	REGIONAL EDUCATION COOPERATIVES, Beam
CS/H	865	ELECTION CODE AMENDMENTS
H	894	ADDITIONAL LUNA MAGISTRATE, McSherry
H	901	AMEND UNIVERSITY ENDOWMENT ACT, Whitaker
H	922	STRATEGIC PLANNING ACT, Olguin
H	942	INSURANCE FRAUD ACT, Stewart
H	945	DOE EMPLOYEE SERVICE CREDIT, Lujan
H	961	BIG GAME PARTNERSHIP ACT, McSherry
H	969	CHILDREN'S TASK FORCE, Beam
H	1004	MCKINLEY MAGISTRATE COURT, Pederson
H	1056	LEGISLATIVE RETIREMENT REINSTATEMENT, Vigil
CS/H	1059	RAISE GAS TAX FOR HIGHWAY PROJECTS
	et al	
H	1065	AMEND PRIVATE SCHOOL DEFINITION, Williams, W.C.
H	1091	PUBLIC HOSPITALS, Sandoval
H	1105	PHARMACY BOARD, King
H	1156	ANTIQUE VEHICLE PLATES, Russell
H	1227	COUNSELOR/THERAPIST MEDICAID COVERAGE, Sandoval
H	1228	MAIL BALLOT ELECTIONS, Sandoval
H	1297	RIO JEMEZ WATERMASTER, Madalena
H	1325	NONPROFIT HOSPITAL SALE ACT, Coll
H	1337	FAMILY ASSISTANCE & RESPONSIBILITY ACT, Taylor, J.P.
S	5	PROFESSIONAL DEVELOPMENT ACT, Nava
S	116	ADDITIONAL LUNA MAGISTRATE, Smith
S	117	ADDITIONAL SIERRA MAGISTRATE, Smith
CS/S	194	NURSING FACILITIES RATIOS
CS/S	242	DEADLY WEAPONS ON STATE PREMISES
S	265	COURT FEES INCREASE, Sanchez
S	268	CERTIFICATES OF AUTHORITY, Sanchez
S	274	EDUCATION BOARDS ELECTIONS, Romero
S	277	AMEND OPTOMETRY ACT, Sanchez
S	342	REPEAL MEDICAID ESTATE RECOVERY ACT, Aragon
S	365	WINE IMPORTATION LIMITATION, Robinson
S	369	TOBACCO PREVENTION & MINORS ACT, Feldman
S	401	PRIVATE PRISONER TRANSPORTATION, Lyons
S	416	INDIGENT BURIAL, Altamirano
*S	472	INDIVIDUAL EDUCATION PROGRAMS DIPLOMA, Nava
S	477	ADDITIONAL JUDGES & COURT FUNDING, Altamirano
*S	533	PUBLIC REGULATION INTERIM COMMITTEE, Eisenstadt

Vetoed Bills

S 564	SCHOOL MEAL PERSONNEL SALARIES, Robinson
S 571	MEDICARE SUPPLEMENT INSURANCE, Leavell
S 574	WATER & SANITATION DISTRICT PARTICIPATION, Macias
CS/S 585	LEGAL & UNDOCUMENTED IMMIGRANT SERVICES
& 586	
S 588	LEGISLATIVE APPROVAL OF STATE ASSISTANCE PLAN, Garcia
CS/S 715	STUDENT RETENTION OVERSIGHT TASK FORCE
S 718	AMEND PUBLIC HEALTH ACT, Wilson
S 727	RETIRED NATIONAL GUARD REGISTRATION PLATES, Cisneros
S 744	ADJUST HIGHWAY SPEED LIMIT, Vernon
S 752	SPECIAL ADVOCATE PROGRAM, Robinson
S 755	OFF-TRACK PARI-MUTUEL WAGERING, Sanchez
S 773	BOOK A WEEK, Robinson
S 792	BROADEN ENERGY EFFICIENT BUILDINGS ACT, Griego
S 820	STATUS OF STATE AGENCY FUNDS REPORT, Maes
*S 824	CESAR CHAVEZ COMMISSION & HOLIDAY, Cisneros
S 879	RIO GRANDE BOSQUE MANAGEMENT ACT, Feldman
S 884	DELINQUENT PROPERTY TAXES DEADLINE, Rodriguez
S 892	UNMARRIED BIOLOGICAL FATHER'S RIGHTS, McSorley
*S 906	HEALTH CARE FINANCE ACT, Macias
CS/S 918	COUNTY HEALTH COMMISSION ACT
CS/S 923	REPEAL RIO GRANDE VALLEY STATE PARK ACT
*S 956	"PAVE" & "CONSTRUCT" DEFINITIONS, Campos
S 972	TITLE INSURANCE GUARANTY ACT, Aragon
S 980	ALCOHOL SERVERS AGE REQUIREMENT, Smith
S 981	HIGHWAY ESCORT SERVICES, Lyons
S 1026	TRANSPORT OF SEPTAGE & SLUDGE, Cisneros
S 1032	CIBOLA CORRECTIONS CONTRACT, Aragon
S 1033	SPEECH & HEARING LICENSURE WAIVER, Lyons
S 1058	CHILD SUPPORT HEARING OFFICERS, Ingle
S 1062	NONCOMMERCIAL BREWING FACILITIES, Aragon
S 1108	BINDING ARBITRATION FOR DIVORCE, McSorley
FL/S 1144	COUNTY CONSENT TO ANNEXATION
& 1148	
CS/S 1147	CONTROL OF PRIVATE OR FEDERAL SCHOOL
S 1198	FAMILY ASSISTANCE & RESPONSIBILITY ACT, Garcia
FL/CS/S 1256	REGULATORY OFFICE CAMPAIGNS, Altamirano
HCS/CS/S 1273	CORRECTIONS POPULATION, Aragon

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*H 1	4 (pv)	FEED BILL, Olguin
CS/H 2	33 (pv)	GENERAL APPROPRIATION ACT OF 1997
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*H 10	1	NEW YORK BUSINESSES PROCUREMENT, Sanchez
H 12	128	STATE TREASURER INVESTMENTS, Varela
H 13	129	HOSPITAL FACILITY REVENUES, Varela
H 14	60	AMEND CORPORATE INCOME TAX, Varela
H 17	Veto	DRIVE-UP WINDOW SALES LOCAL OPTION, Hobbs
H 32	65	INTRASTATE TELEPHONE SERVICES, Rodella
H 33	61	COAL SURTAX EXEMPTION, Rodella
H 36	66	DAM REGULATION, Parsons
H 37	67	AMEND TAX ADMINISTRATION ACT, Parsons
H 38	68	HIGHWAY CONTRACTORS PROPERTY, Parsons
H 40	21	REPEAL INTERSTATE GRAIN COMPACT, McSherry
H 45	69	STATE AGENCY SMALL PURCHASES, Hobbs
H 47	31	MOTOR VEHICLE DEALER FRANCHISES, Ryan
H 49	62	INVESTMENT CREDIT ACT EXTENSION, Lujan
H 74	5	"EMERGENCY" DEFINITION, Knowles
H 75	130	PROPERTY TAX PROTESTS, Gubbels
H 76	18	AMEND BEEF COUNCIL, McSherry
H 82	Veto	CHILD FATALITY REVIEW TEAM, Miera
H 84	131	AMEND PHARMACY ACT, King
H 86	43	DWI PRIOR CONVICTIONS, Miera
H 88	242	DWI OFFENDERS FINGERPRINTING, Pederson
H 89	8	UNIFORM QUESTIONS OF LAW ACT, Pederson
H 90	9	AMEND FAMILY SUPPORT ACT, Pederson
H 101	132	ADULT PROTECTIVE SERVICES, Taylor, J.P.
H 103	25	UNIFORM UNCLAIMED PROPERTY ACT, Foy
H 104	75	LETTERS OF CREDIT, Knowles
H 105	76	LIMITED LIABILITY PARTNERSHIPS, Knowles
H 107	258	RELIGIOUS INSTRUCTION EXCUSAL, Sandel
H 108	182 (pv)	DWI GRANT FUND, Miera
H 120	222	PAYMENT FOR GOVERNMENT PURCHASES, Picraux
*H 128	63	ESTIMATED TAX PAYMENTS, Sandel
H 131	223	LIQUOR LICENSE DISTANCE REQUIREMENTS, Rios
H 133	133	DESERT AIRE WATER SYSTEM, Wright
H 139	134	WATER CONSERVATION PROGRAM, Lujan
H 141	64	SANTA CLARA PUEBLO AGREEMENT, Lujan
*H 143	183	LAND GRANT FUNDS INVESTMENT, Coll
*H 144	45	SEVERANCE TAX FUND INVESTMENT, Coll
H 145	46	LICENSING BOARDS EXTENSIONS, Wallace
*H 146	135	INVESTMENT OF PUBLIC MONEY, Coll
H 154	Veto	ALCOHOL FRANCHISE AGREEMENTS, Ryan
*H 155	6	CHAMISAL FIRE STATION, Salazar
H 197	47	BICYCLE PATHS USE, Miera
H 205	70	SEVERANCE TAX FUND INVESTMENT, Salazar
H 209	149	PARK & RECREATION AREAS CRIMES, McSherry
H 211	10	STALKING ACT, Sanchez
CS/H 215	40	FUNDING FORMULA PROGRAM UNITS
CS/H 222	Veto	WORK FORCE EDUCATION ACT
H 224	138	PROPERTY TAX FOR SCHOOL IMPROVEMENTS, Gubbels
H 225	Veto	SCHOOL DISTRICT G.O. BONDS, Gubbels
H 227	145	STATE PARKS & RECREATION AREAS, Wallace
H 238	48	LENDING INSTITUTIONS AUTHORITY, Ryan
H 249	224	GAME & FISH PENALTIES, Stewart
H 273	181 (pv)	AMEND CONSTRUCTION INDUSTRY REGULATION, Lujan
CS/H 277	180 (pv)	ADDITIONAL 2ND DISTRICT COURT PERSONNEL
et al		
H 278	251	CHILD CARE FACILITIES EMPLOYEES, Saavedra
H 287	136	SCHOOL NURSE REQUIREMENT, Roberts
H 290	252	SCHOOL BOARD CANDIDATE REQUIREMENT, Rodella
H 291	Veto	EDUCATION EMPLOYEES GROUP INSURANCE, Lujan
H 308	139	LIQUID WASTE SYSTEMS PERMITS, King
H 309	Veto	AMEND INVESTMENT CREDIT ACT, Porter
H 310	11	COMMUNITY CORRECTIONS PARTICIPATION, Stewart
H 311	140	VIOLENT SEX OFFENSE PENALTY, Stewart
H 320	253	NURSE-MIDWIVES AUTHORITY, Wright
*H 330	146	ALTERNATIVE PREMIUM PAYMENT PLANS, Corley
*H 338	Veto	JUVENILE CORRECTIONS, Stewart

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H	340	49	PURE HONEY DEFINITION, McSherry
H	345	50	TELECOMMUNICATIONS SERVICE THEFT ACT, Lujan
CS/H	346	141	DOMESTIC ABUSE INSURANCE PROTECTION ACT
H	349	Veto	DA EMPLOYEES GRIEVANCE BOARD, Varela
CS/H	350	Veto	PATIENT PROTECTION ACT
CS/H	351	Veto	MEDICAID MANAGED CARE ACT
H	352	Veto	REPEAL MEDICAID MANAGED CARE, Abeyta
H	353	Veto	REGIONAL MEDICAID MANAGED CARE, Picraux
H	354	Veto	MEDICAL ASSISTANCE REQUIREMENT, Sandoval
H	355	51	AMEND INDIGENT HEALTH CARE ACT, Olguin
H	358	74	HEALTH CARE PURCHASING ACT, Picraux
H	359	22	ADJUSTED COMMUNITY RATING, Olguin
H	364	Veto	HEALTH SERVICES REGULATIONS HEARINGS, Taylor, J.P.
*H	365	Veto	PRIMARY CARE CAPITAL FUND, Sandoval
H	366	Veto	HEALTH CARE TASK FORCE, Sandoval
H	370	Veto	ADDITIONAL SIERRA MAGISTRATE, Ryan
H	371	Veto	JAIL FOR FINES, Heaton
H	381	Veto	JAIL STANDARDS, Miera
H	389	59	DOMESTIC VIOLENCE PROTECTION ORDERS COST, Beam
CS/H	395	Veto	GENETIC INFO PRIVACY ACT
*H	396	184	CLAIMS FUND ACCOUNT, Corley
4CS/H	399	190	GOVERNOR'S GAMING ACT
H	403	Veto	MAGISTRATE COURT MEDIATION, Pederson
H	405	12	PRE-ELECTION REPORTING, Rodella
H	411	142	ZONING & USE ELECTION, McSherry
H	464	77	GUADALUPE-HIDALGO TREATY DAY, Salazar
CS/H	468	78	GAME MEAT PRODUCTS
*H	495	225	LEGISLATIVE SCHOLARSHIP FUND INVESTMENT, Knowles
H	496	79	FLOOD CONTROL LOAN FROM NMFA, McSherry
H	497	147	SHEEP & GOAT ACT, McSherry
H	498	143	WINE EXCISE TAX, McSherry
*H	512	71	AMEND DEVELOPMENT TRAINING, Sanchez
H	516	80	BOUNDARY SURVEY PLAT, Salazar
*H	526	13	JACKSON MIDDLE SCHOOL, Stewart
H	529	23	AMEND BANK ACTS, Ryan
*H	538	81	ACEQUIA DE LA CIENEGA, STBR, King
H	544	185	AMEND UNIVERSITY RESEARCH PARK ACT, Sandel
H	559	82	WATER QUALITY CONTROL COMMISSION, Stell
H	563	259	EDUCATION TRUST ACT, Sanchez
*H	568	Veto	INMATE POPULATION CONTROL, Pederson
H	570	14	MOTOR VEHICLE DEALERS AUDIT, Sandoval
H	571	7	HEALTH INSURANCE FOR DIABETICS, Sandoval
H	572	Veto	LOCAL SCHOOL BOARD ELECTIONS, Alwin
H	590	148	OPEN MEETINGS ACT ENFORCEMENT, King
H	592	144	DRINKING WATER LOAN FUND, King
H	600	154	LEGISLATIVE PER DIEM & MILEAGE, Knowles
H	608	186	AMEND MOBILE HOME PARK ACT, Stewart
H	623	150	FIREFIGHTERS RETIREMENT, Townsend
H	625	Veto	ALCOHOL & MINORS PENALTIES, Chavez
H	636	155	REPEAL EMERGENCY FIRE SUPPRESSION FUND, Weeks
H	641	19	OPEN MEETINGS & PUBLIC SCHOOLS ACTIVITIES, Sanchez
H	649	151	MOTOR VEHICLE SUN SCREENING, Crook
H	658	156	AMEND SECURITIES ACT, Ryan
H	694	24	ALTERNATIVE FUEL DEFINITION, Lujan
CS/H	717	34	ABUSE & NEGLECT ACT HEARINGS
H	718	Veto	KIDNAPPING DEFINITION, Stewart
H	719	152	ORPHAN HAZARDOUS MATERIALS, Dana
H	720	157	TIME LIMIT FOR FELONY PROSECUTION, Dana
*H	735	Veto	INDIAN BONDS INCOME TAX EXEMPTION, Madalena
H	736	42	AMEND PUBLIC BUILDING EFFICIENCY ACT, Sanchez
*H	742	Veto	SPECIAL ED HIGH SCHOOL DIPLOMAS, Beam
H	751	226	COUNTY INDUSTRIAL REVENUE BONDS, Taylor, J.G.
H	765	153	MENTAL RETARDATION HEARING, King
H	774	137	AMEND SOIL & WATER CONSERVATION DISTRICTS, Stell
H	788	187	PHYSICIAN & OSTEOPATHS ASSISTANTS, Salazar
H	802	83	REPEAL PRODUCER'S LIEN ACT, McSherry
H	813	158	PURPLE HEART REGISTRATION PLATES, Luna
*H	820	254	AMEND MEDICAL CARE SAVINGS ACCOUNT ACT, Johnson
H	828	26	DRIVER'S LICENSE RENEWAL GRACE PERIOD, King

House Bills

Bill No.	Chapter	Short Title/Sponsor
*H 832	243	HEALTH INSURANCE PORTABILITY ACT, Olguin
H 838	41	INTERIM LEGISLATIVE EXPENSE, Knowles
H 840	188	LEGISLATIVE AUTOMATION, Knowles
H 856	84	ORIENTAL MEDICINE INSURANCE, Miera
*H 862	Veto	REGIONAL EDUCATION COOPERATIVES, Beam
H 864	85	PRECINCT BOUNDARIES ADJUSTMENT, Williams, S.M.
CS/H 865	Veto	ELECTION CODE AMENDMENTS
H 875	189	PUBLIC RETIREMENT ACTS, Varela
H 894	Veto	ADDITIONAL LUNA MAGISTRATE, McSherry
H 901	Veto	AMEND UNIVERSITY ENDOWMENT ACT, Whitaker
H 912	159	COUNTY VALUATION PROTESTS BOARDS, Sandoval
H 922	Veto	STRATEGIC PLANNING ACT, Olguin
H 927	227	AXLE WEIGHT LIMITS, Silva
H 929	86	GOOD SAMARITAN LAW, Kissner
H 935	163	CHILD ABUSE DEFINITION, Stewart
H 939	244	AMEND NURSING PRACTICE ACT, Picraux
H 942	Veto	INSURANCE FRAUD ACT, Stewart
H 945	Veto	DOE EMPLOYEE SERVICE CREDIT, Lujan
H 947	44	CONTRABAND IN JUVENILE FACILITY, Dana
H 954	160	TRUST COMPANY BRANCH OFFICES, Nicely
H 961	Veto	BIG GAME PARTNERSHIP ACT, McSherry
H 969	Veto	CHILDREN'S TASK FORCE, Beam
H 974	15	DISQUALIFIED CANDIDATE DECISION, Rodella
H 979	250	IMMUNIZATIONS COVERAGE REQUIRED, Wallace
H 980	164	EURANK ELEMENTARY PROJECT, Stewart
H 989	161	DISPOSITION OF MUNICIPAL PUBLIC MONEY, Mallory
*H 1000	191	HIGHWAY TRANSPORTATION AGREEMENT, Silva
H 1004	Veto	MCKINLEY MAGISTRATE COURT, Pederson
H 1010	165	CONSERVATION OFFICERS AS PEACE OFFICERS, Alwin
H 1018	87	INCREASE AMAFCA DEBT AUTHORITY, Taylor, J.G.
H 1048	20	EXTEND COUNTY HOSPITAL EMERGENCY GR TAX, Ryan
H 1056	Veto	LEGISLATIVE RETIREMENT REINSTATEMENT, Vigil
CS/H 1059	Veto	RAISE GAS TAX FOR HIGHWAY PROJECTS
et al		
H 1065	Veto	AMEND PRIVATE SCHOOL DEFINITION, Williams, W.C.
H 1091	Veto	PUBLIC HOSPITALS, Sandoval
CS/H 1095	88	AMEND MINING ACT
H 1103	89	PHYSICAL THERAPY ACT, King
H 1105	Veto	PHARMACY BOARD, King
H 1112	162	AGRICULTURAL LAND VALUATION, Sanchez
H 1128	245	EXTRACURRICULAR ACTIVITIES, Chavez
CS/H 1132	167	HIGHER EDUCATION INSTITUTIONS
H 1156	Veto	ANTIQUE VEHICLE PLATES, Russell
H 1172	16	LAND GRANT ELECTIONS, Salazar
*H 1176	166	PUBLIC PROJECT REVOLVING FUND LOANS, Lujan
*H 1181	228	ELECTRIC FACILITY CONDEMNATION, Taylor, J.P.
*CS/H 1192	90	EXPAND NMFA POWERS
H 1201	72	NTTC GRACE PERIOD, Varela
H 1202	168	RIGHT TO HEALTH CARE DECISIONS, Kissner
H 1207	91	SPACE COMMERCIALIZATION DIVISION, Parsons
H 1208	169	PROPRIETARY INFO CONFIDENTIALITY, Parsons
H 1209	172	ECONOMIC DEVELOPMENT COMMISSION, Parsons
H 1227	Veto	COUNSELOR/THERAPIST MEDICAID COVERAGE, Sandoval
H 1228	Veto	MAIL BALLOT ELECTIONS, Sandoval
*H 1257	192	AMEND FUEL TAXES, Sandel
H 1267	173	UNIFORM STATUTORY CONSTRUCTION, Ryan
H 1268	178 (pv)	CAPITAL BUILDINGS PLANNING & FUNDING, Lujan
*H 1277	170	DRINKING WATER LOAN FUND, King
*H 1289	174	LIVE NEW MEXICO BOXING CONTESTS, Nicely
H 1297	Veto	RIO JEMEZ WATERMASTER, Madalena
H 1300	73	SPACE-RELATED RECEIPTS DEDUCTION, Porter
*H 1304	193	EDUCATION TECHNOLOGY EQUIPMENT ACT, Picraux
H 1308	246	HYDROGRAPHIC SURVEYS BONDS, Johnson
H 1317	171	PUBLIC WORKS PURCHASING, Lujan
H 1325	Veto	NONPROFIT HOSPITAL SALE ACT, Coll
H 1337	Veto	FAMILY ASSISTANCE & RESPONSIBILITY ACT, Taylor, J.P.
CS/CS/H 1342	176	EMERGENCY PEST CONTROL, Stell
*CS/H 1365	179 (pv)	3RD DISTRICT SPECIAL ELECTION, Sanchez
CS/H 1370	27	EXTEND HEALTH INSURANCE ALLIANCE, Olguin

House Bills

Bill No.	Chapter	Short Title/Sponsor
*H 1391	92	AMEND RAILROAD CAR COMPANY TAX ACT, Sandel
H 1392	175	PUBLIC EMPLOYEE SALARIES, Knowles
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206	Total House Bills	

Constitutional Amendments

Bill No.	C.A.	Short Title/Sponsor
HJR 19	1	LIMIT VALUATION INCREASES, CA, Lujan

Senate Bills

Bill No.	Chapter	Short Title/Sponsor
*S	1	2
S	4	260
S	5	Veto
S	8	100
S	29	101
S	36	93
S	37	247
S	81	102
*S	100	32 (pv)
CS/S	106	238
CS/S	109	104
S	111	239
CS/S	114	105
S	116	Veto
S	117	Veto
S	120	103
*S	122	3
*CS/S	132	229
S	168	106
S	173	94
*S	177	95
CS/S	178	96
S	186	36
CS/S	189	107
S	190	108
S	191	109
CS/S	194	Veto
*S	195	17
S	198	230
S	200	110
S	204	97
CS/S	220	256
*S	223	111
S	229	112
CS/S	242	Veto
S	265	Veto
S	267	98
S	268	Veto
S	271	99
S	272	240
S	274	Veto
S	277	Veto
S	280	37
S	326	52
S	328	28
S	342	Veto
S	350	113
S	365	Veto
S	369	Veto
S	371	114
S	372	53
S	382	194
CS/S	395	117
S	401	Veto
*S	404	177 (pv)
*S	406	118
*S	409	29
S	416	Veto
*S	430	119
*CS/CS/S	446	38
S	467	231
*S	472	Veto
S	477	Veto
S	492	120
S	501	232
S	503	248
S	504	121
S	505	115
S	518	116
		NEW YORK BUSINESSES PROCUREMENT, Jennings
		PEACE OFFICER DESIGNATION, Jennings
		PROFESSIONAL DEVELOPMENT ACT, Nava
		INSTRUCTIONAL MATERIAL FUNDS, Howes
		SENIOR CITIZEN BINGO, Kidd
		REMOVE DEAD CANDIDATE'S NAME FROM BALLOT, Rodarte
		BRAIN INJURY SERVICES FUND, Feldman
		RESIDENT STUDENT STATUS, Robinson
		EDUCATION APPROPRIATION ACT, Nava
		PUBLIC SCHOOL EMPLOYEES
		PAYMENT FOR GOVERNMENT PURCHASES
		EXTRACURRICULAR ACTIVITIES, Nava
		DNA IDENTIFICATION ACT
		ADDITIONAL LUNA MAGISTRATE, Smith
		ADDITIONAL SIERRA MAGISTRATE, Smith
		ERA SERVICE CREDIT PURCHASE, Romero
		NEW YORK PROCUREMENT PREFERENCE, Jennings
		OFF-PREMISES TASTING ROOMS
		LOTTERY TUITION FUND DISTRIBUTION, Sanchez
		VEHICLE LOAD LIMITS, Eisenstadt
		PERSONAL PROPERTY ALLOWANCE, McSorley
		ACEQUILA RIGHTS
		UNIFORM VENDOR & PURCHASER RISK ACT, Jennings
		PROVIDER SERVICE NETWORK ACT
		LIMIT PAYMENTS FOR MEDICAL REVIEW COMM., Jennings
		LIMIT USE OF PATIENT'S COMPENSATION FUND, Jennings
		NURSING FACILITIES RATIOS
		SALE & USE OF FIREWORKS, Sanchez
		AMEND PRIMARY CARE CAPITAL FUNDING, Garcia
		CYF CORRECTIONS OFFICERS QUALIFICATIONS, Vernon
		REPEAL PEANUT ACT, Ingle
		HARM REDUCTION ACT
		SHORT-TERM CASH MANAGEMENT ACT, Fidel
		GOVERNMENTAL ETHICS, Fidel
		DEADLY WEAPONS ON STATE PREMISES
		COURT FEES INCREASE, Sanchez
		MANAGED CARE FRAUD, Sanchez
		CERTIFICATES OF AUTHORITY, Sanchez
		SHEEP & GOAT ACT, Jennings
		ORIENTAL MEDICINE LICENSURE, Sanchez
		EDUCATION BOARDS ELECTIONS, Romero
		AMEND OPTOMETRY ACT, Sanchez
		COUNTY ORDINANCES EFFECTIVE DATE, Stockard
		HIGHWAY COMMISSION POWERS, Altamirano
		REPEAL GAS SALES INFO, Altamirano
		REPEAL MEDICAID ESTATE RECOVERY ACT, Aragon
		HOSPITAL LICENSURE, Kysar
		WINE IMPORTATION LIMITATION, Robinson
		TOBACCO PREVENTION & MINORS ACT, Feldman
		RETIRED MAGISTRATES, Ingle
		MAGISTRATE COURT CONTROL, Macias
		ADJUST COMPULSORY SCHOOL ATTENDANCE, Nava
		INCREASE PROPERTY TAX REBATE
		PRIVATE PRISONER TRANSPORTATION, Lyons
		STATUARY HALL COMMISSION, Aragon
		LAND TITLE TRUST FUND ACT, Aragon
		HISPANIC CULTURAL CENTER, Aragon
		INDIGENT BURIAL, Altamirano
		HUNTING GUIDES, OUTFITTERS & LICENSES, Sanchez
		VOLUNTARY REMEDIATION ACT
		ORPHAN HAZARDOUS MATERIALS, Payne
		INDIVIDUAL EDUCATION PROGRAMS DIPLOMA, Nava
		ADDITIONAL JUDGES & COURT FUNDING, Altamirano
		DEMONSTRATION SERVICES EXEMPTION, McSorley
		SCHOOL FOR VISUALLY HANDICAPPED REGENTS, Nava
		AMEND INSURANCE CODE DEFINITION, Fidel
		AMEND INSURANCE CODE RULES & NOTICE, Fidel
		COMMUNITY COLLEGE CAMPUS POLICE, Leavell
		INDIGENT BURIAL COST, Jennings

Senate Bills

Bill No.	Chapter	Short Title/Sponsor
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*S	533	Veto	PUBLIC REGULATION INTERIM COMMITTEE, Eisenstadt
S	564	Veto	SCHOOL MEAL PERSONNEL SALARIES, Robinson
S	571	Veto	MEDICARE SUPPLEMENT INSURANCE, Leavell
S	574	Veto	WATER & SANITATION DISTRICT PARTICIPATION, Macias
CS/S	585	Veto	LEGAL & UNDOCUMENTED IMMIGRANT SERVICES
&	586		
S	588	Veto	LEGISLATIVE APPROVAL OF STATE ASSISTANCE PLAN, Garcia
S	594	195	AMEND CREDIT UNION ACT, Robinson
S	604	196	LOCAL OPTION PROPERTY TAX REBATE, Griego
CS/S	605	197	TRADEMARK ACT
CS/S	613	198	FINGERPRINTS OF STATE BAR APPLICANTS
S	618	199	INSTITUTIONAL FUNDS ACT, Kidd
*S	628	200	MINERS COLFAX MEDICAL CENTER, Lyons
S	632	233	SCHOOL BUS ADVERTISEMENTS, Maloof
S	643	201	ABSENTEE BALLOT APPLICATIONS, Rawson
*CS/S	651	202	LONG-TERM CARE PROVIDERS
S	653	221	AMEND MEDICAL PRACTICE ACT, Jennings
S	673	203	INCREASE DWI LAB FEE, Stockard
S	674	204	MOTORBOAT REGISTRATIONS, Stockard
S	675	205	MANDATORY DWI SCREENING PROGRAM, Stockard
S	677	206	PREPAID TUITION STUDY, Kidd
S	682	255	INSURANCE COVERAGE FOR DIABETICS, Altamirano
S	688	234	SIGN LANGUAGE AS ELECTIVE, Rodriguez
S	692	207	AMEND PUBLIC ACCOUNTANCY ACT, Jennings
CS/S	715	Veto	STUDENT RETENTION OVERSIGHT TASK FORCE
S	718	Veto	AMEND PUBLIC HEALTH ACT, Wilson
S	727	Veto	RETIRED NATIONAL GUARD REGISTRATION PLATES, Cisneros
S	744	Pk Veto	ADJUST HIGHWAY SPEED LIMIT, Vernon
S	746	122	DISARMING A LAW OFFICER, Stockard
S	752	Veto	SPECIAL ADVOCATE PROGRAM, Robinson
S	755	Veto	OFF-TRACK PARI-MUTUEL WAGERING, Sanchez
S	772	54	EXPAND LOCAL HOSPITAL GROSS RECEIPTS, Ingle
S	773	Veto	BOOK A WEEK, Robinson
CS/S	774	208	CRIMES AGAINST WITNESSES
S	784	209	VOTER REGISTRATION INFORMATION, Taosie
S	792	Veto	BROADEN ENERGY EFFICIENT BUILDINGS ACT, Griego
S	809	235	EXEMPT WEATHERIZATION PROJECTS, Fidel
S	810	30	PIPELINES ONE-CALL SYSTEM, Fidel
S	812	210	OUTSTANDING COURT FINES & FEES, Jennings
*S	814	55	LIQUOR LICENSE TRANSFERS, Griego
S	815	211	REVISE SKI SAFETY ACT, Sanchez
S	820	Veto	STATUS OF STATE AGENCY FUNDS REPORT, Maes
*S	824	Veto	CESAR CHAVEZ COMMISSION & HOLIDAY, Cisneros
S	841	212	PUBLIC EMPLOYEE BARGAINING, Aragon
S	865	123	T-VI DISTRICTS FUNDS, Robinson
S	879	Veto	RIO GRANDE BOSQUE MANAGEMENT ACT, Feldman
S	882	56	CHILD SUPPORT PROVISIONS, Sanchez
S	884	Pk Veto	DELINQUENT PROPERTY TAXES DEADLINE, Rodriguez
S	885	124	COLLECTION OF DELINQUENT PROPERTY TAXES, Rodriguez
S	891	57	AMEND COTTON BOLL WEEVIL ACT, McSorley
S	892	Veto	UNMARRIED BIOLOGICAL FATHER'S RIGHTS, McSorley
S	895	35	EDWARD J. LOPEZ LAND OFFICE BUILDING, Maloof
S	904	39	MOBILE HOME & PARKS LIENS, Macias
*S	906	Veto	HEALTH CARE FINANCE ACT, Macias
S	915	213	POLICE OFFICER DEFINITION, Rawson
S	917	214	HEALTH TESTS REPORTING, Jennings
CS/S	918	Veto	COUNTY HEALTH COMMISSION ACT
S	920	215	CONTRIBUTIONS TO DRUG ABUSE PROGRAM, Griego
CS/S	923	Veto	REPEAL RIO GRANDE VALLEY STATE PARK ACT
S	926	216	COUNTY INDUSTRIAL REVENUE BONDS, Aragon
S	943	218	BARBERS & COSMETOLOGISTS ACT AMENDMENTS, Vernon
S	947	219	AMEND SUPPLEMENTAL MUNICIPAL GR TAX, Campos
*S	956	Veto	"PAVE" & "CONSTRUCT" DEFINITIONS, Campos
S	964	249	MINIMUM HOSPITAL STAY COVERAGE, Feldman
S	971	220	SEVERANCE TAX PERMANENT FUND DEPOSITS, Maes
S	972	Veto	TITLE INSURANCE GUARANTY ACT, Aragon
S	978	217	INTERMEDIATE CARE FACILITIES, Jennings
S	980	Veto	ALCOHOL SERVERS AGE REQUIREMENT, Smith
S	981	Veto	HIGHWAY ESCORT SERVICES, Lyons

Senate Bills

Bill No.	Chapter	Short Title/Sponsor
CS/S 997	261	PUBLIC SCHOOL ACCOUNTABILITY
*S 1014	263	LEASE COMMUNICATIONS NETWORK, Tsosie
S 1022	266	AMEND MUNICIPAL ELECTION CODE, Campos
S 1026	Veto	TRANSPORT OF SEPTAGE & SLUDGE, Cisneros
S 1032	Veto	CIBOLA CORRECTIONS CONTRACT, Aragon
S 1033	Veto	SPEECH & HEARING LICENSURE WAIVER, Lyons
S 1058	Veto	CHILD SUPPORT HEARING OFFICERS, Ingle
S 1059	267	BOARD OF NURSING HOME ADMINISTRATORS, Griego
S 1062	Veto	NONCOMMERCIAL BREWING FACILITIES, Aragon
S 1108	Veto	BINDING ARBITRATION FOR DIVORCE, McSorley
S 1115	126	AMEND WICHE PROGRAM, Altamirano
S 1121	241	HYDROGRAPHIC SURVEYS BONDS, Macias
*CS/S 1129	125	TAX & REVENUE DATA SYSTEM, NMFA
FL/S 1144	Pk Veto	COUNTY CONSENT TO ANNEXATION
& 1148		
CS/S 1147	Veto	CONTROL OF PRIVATE OR FEDERAL SCHOOL
S 1150	268	CRIME VICTIMS REPARATION, Aragon
S 1155	236	INCENTIVES FOR SCHOOL IMPROVEMENT, Nava
S 1158	262	PRC APPORTIONMENT ACT, Sanchez
*HCS/S 1162	237	CHILD SUPPORT ENFORCEMENT
S 1166	264	MAMMOGRAMS FOR MEDICAID RECIPIENTS, Wilson
S 1198	Veto	FAMILY ASSISTANCE & RESPONSIBILITY ACT, Garcia
CS/S 1211	58	INTERGOVERNMENTAL TAX CREDIT
S 1235	127	HIGHER ED ADMISSION REQUIREMENTS, Rodriguez
S 1237	257	AMEND LONG-TERM CARE OMBUDSMAN ACT, Sanchez
FL/CS/S 1256	Veto	REGULATORY OFFICE CAMPAIGNS, Altamirano
CS/S 1264	265	CHURCH CELEBRATIONS, Robinson
HCS/CS/S 1273	Veto	CORRECTIONS POPULATION, Aragon
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164 Total Senate Bills		

Constitutional Amendments

Bill No.	C.A.	Short Title/Sponsor
SJR 5	2	JUDICIAL STANDARDS COMMISSION, CA, Campos
SJR 12	3	COUNTY OFFICIALS, CA, Macias

